URBAN/MUNICIPAL
CA4 ON HBL A08
B91 1992

City of Hamilton By-Laws

92-001 — 92-38

URBAN/MUNICIPAL
CA4 ON HBL A08
B91

Bill No. H-1

BY-LAW NO. 92 - *001*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF DECEMBER A.D., 1991.

URBAN MUNICIPAL
JAN 13 1992

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this *6th* day of *December* A.D. 1991

CITY CLERK [redacted] MAYOR

URBAN/MUNICIPAL

Bill No. C- 1

The Corporation of the City of Hamilton

BY-LAW NO. 92-002

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 126 LILACSIDE DRIVE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"C"** (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

   (a) notwithstanding paragraphs (f) and (h) of Section 2.(2)H.(iii) of By-law No. 6593, hairdressing shall be permitted as a home occupation on the following basis:

      (i) it is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and

      (ii) there shall not be more than one comb-out centre and one styling sink.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1249.

4. Sheet No. E-27 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1249.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *10th* day of *December* A.D. 1991.

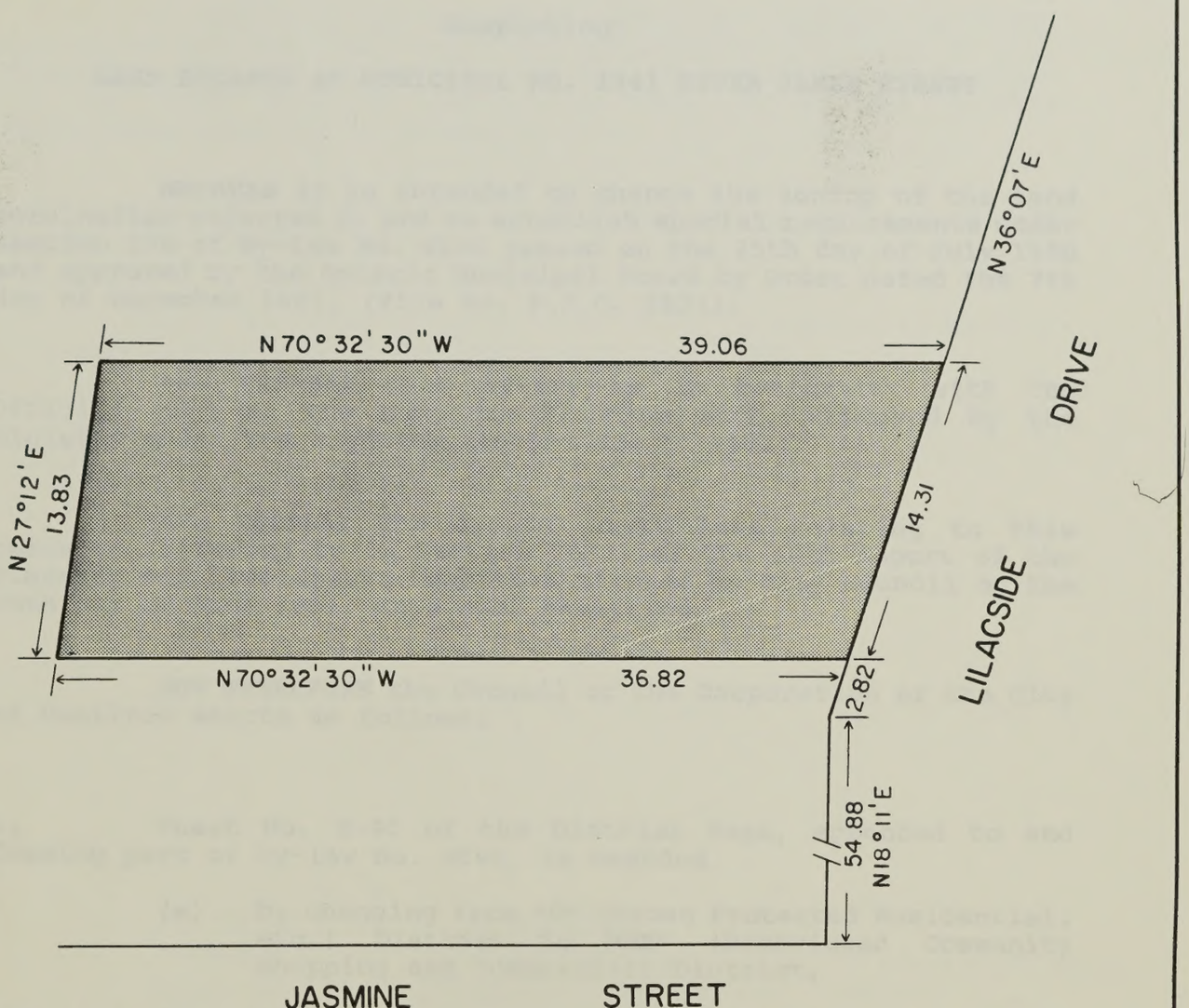
Deputy City Clerk

Acting Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 14 R.P.D.C. 8, October 8
Catherine Marie Healey
(Healey Hair Design), Lessee
ZA-91-44



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-002
Passed the ...10th. day of ...December..... ,1991.

Deputy Clerk

Acting Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-002....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 92-002..

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-44
	Date	Drawn By
	OCTOBER, 1991	T.A.

Bill No. C-2

The Corporation of the City of Hamilton

BY-LAW NO. 92-003

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1341 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the special conditions relating to this rezoning, referred to in Section 19(f) of the 10th Report of the Planning and Development Committee adopted by City Council on the 25th day of June 1991, have been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"C"** (Urban Protected Residential, etc.) District to **"HH"** (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"HH"** (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 14A(3)(a) of By-law No. 6593, a minimum 6.0 m front yard setback shall be provided and maintained from Upper James Street;

   (b) notwithstanding Section 14A(3) of By-law No. 6593, a minimum 6.0 m southerly side yard setback shall be provided and maintained from Stone Church Road East;

   (c) a landscaped planting strip of not less than 6.0 m in width, shall be provided and maintained adjacent to the entire westerly and southerly lot lines excluding any area(s) used for vehicular access;

(d) a landscaped planting strip of not less than 1.5 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire easterly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1234.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1234.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

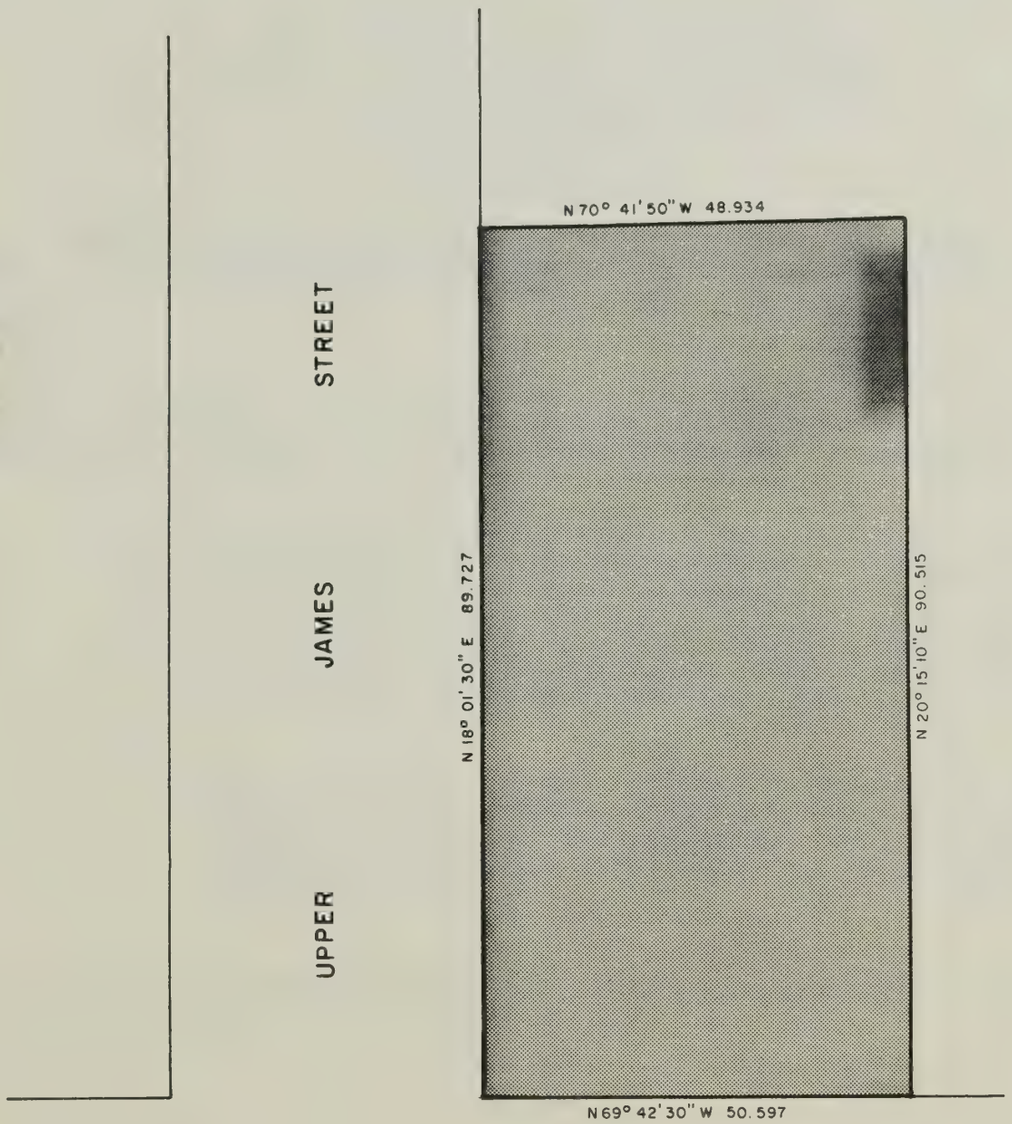
PASSED this *10th* day of *December* A.D. 1991.

Deputy City Clerk *Acting* Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 10 R.P.D.C. 19, June 25
W. Alex Hemstreet, Owner
Amended ZA-91-14



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-003.
Passed the 10th day of December ,1991.

Deputy Clerk

Acting Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-003....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"C"(Urban Protected Residential, etc.) District to "HH"(Restricted Community Shopping and Commercial) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91 -14
	Date	Drawn By
	JULY, 1991	E .C.

Bill No. H-2

The Corporation of the City of Hamilton

BY-LAW NO. 92-004

To Authorize:

CONSTRUCTION OF THE NEW WEST MOUNTAIN TWIN PAD ARENA, INCLUDING ROAD IMPROVEMENTS ON CHEDMAC DRIVE

WHEREAS the Ontario Municipal Board by Order dated the 19th day of November 1991, (File No. E 901349), approved,

(a) the construction of the new West Mountain Twin Pad Arena including road improvements on Chedmac Drive at an estimated cost of $9,668,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and

(b) the issuance of the necessary debentures to a maximum of $9,668,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of the new West Mountain Twin Pad Arena, including road improvements on Chedmac Drive may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 19th day of November, 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this 10th day of December A.D. 1991.

Deputy City Clerk

Acting Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1990) 25 R.F.A.C. 26, November 13

Bill No. H-3

The Corporation of the City of Hamilton

BY-LAW NO. 92-005

To Amend Licensing By-law No. 79-323 respecting :

CLASS "C" LIVERY VEHICLES

WHEREAS Section 227 of the Municipal Act, R.S.O. 1980, c. 302, as amended, provides for the regulation and licensing of vehicles for hire and classes thereof;

AND WHEREAS the Council of The Corporation of the City of Hamilton, passed By-law No. 89-249 on the 29th day of August 1989 to amend and consolidate Schedules 4 and 4a to Licensing By-law No. 79-323 respecting taxi-cabs and livery vehicles, which has been subsequently amended;

AND WHEREAS Schedule 4a established "Class C" livery vehicles for the transportation of students by passenger automobile under contract with school boards, and provided for the regulation and licensing thereof;

AND WHEREAS the Council of The Corporation of the City of Hamilton wishes to consider the possibility of incorporating the activity carried on by Class C livery vehicles into the class of activity carried on by taxi-cabs and other vehicles, along with the possibility of eliminating Class C livery licenses;

AND WHEREAS to allow for the possible elimination of Class C licenses during the period when schools are not operating, the Council deems it advisable to amend Schedule 4a, to provide an expiry date of June 30th, 1992 for Class C livery vehicle owner's licenses, and to reduce the license fee accordingly, which provisions will be subsequently amended depending on the decision of the Council;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the 21st day of November 1991 directed that By-law No. 89-249 be amended, as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sub-section 5(3) of Schedule 4a to Licensing By-law No. 79-323, as enacted by section 2 of By-law No. 89-249 is hereby amended by adding thereto, immediately following paragraph (c) thereof, the following paragraphs:

"(d) A Class C livery vehicle owner's license shall expire no later than June 30, 1992, and such licenses shall state the date of expiry on the face of the license.

(e) Regardless of the provisions respecting issuance of licences, not more than forty-five (45) Class C livery vehicle owner's licences shall be renewed for the period of January 1 to June 30, 1992."

2. Section 16 of Schedule 4a to Licensing By-law 79-323, as enacted by section 2 of By-law No. 89-249, is hereby repealed, and the following substituted therefor:

"16. The license fees for a license granted under this Schedule shall be as follows:

1. For issuance or renewal of a Class A or Class B livery vehicle owner's license $193.00;

2. For renewal of a Class C livery vehicle owner's license $97.00;

3. For issuance or renewal of a livery vehicle driver's license, ...$ 28.00.

3. This by-law comes into force and effect on the date of its passing and enactment.

4. Unless sooner repealed or replaced, this by-law is deemed repealed on July 1, 1992, and the provisions of Schedule 4a existing prior to that date apply to Class C livery vehicle owner's licences without change.

5. In all other respects, the provisions of Schedule 4a to Licensing By-law No. 79-323, as enacted by By-law No. 89-249 as amended, are hereby confirmed without change.

PASSED this *10th* day of *December* A.D. 1991.

Deputy City Clerk *Acting* Mayor

(1991)

Bill No.H-4

The Corporation of the City of Hamilton

BY-LAW NO. 92-006

URBAN MUNICIPAL
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TO LICENSE AND REGULATE CHARITABLE OR RELIGIOUS LOTTERY SCHEMES

WHEREAS section 207 of The Criminal Code of Canada did empower the Lieutenant Governor-in-Council of a Province or such other person or authority in the Province as may be specified by the Lieutenant Governor, to issue a licence to a charitable or religious organization to conduct and manage a lottery scheme, subject to such terms and conditions as may be imposed;

AND WHEREAS the Lieutenant Governor of Ontario by Order-in-Council 274/70 as amended, did empower a municipal council to issue licences authorizing any charitable or religious organization to conduct and manage lottery schemes for charitable or religious purposes;

AND WHEREAS paragraph 45 of section 208 of The Municipal Act, R.S.O. 1980, chapter 302 provides for the appointment of officers and servants for the purpose of the corporation, or for carrying out any by-law of the corporation;

AND WHEREAS City of Hamilton By-law 78-130 provided regulations governing the issuance and approval of licences and the operations of lottery schemes to which licences relate and which are contained in such licences, which by-law has been amended from time to time;

AND WHEREAS Council approved the consolidation of the current lottery by-law and amendments, and approved the deletion of antiquated provisions and incorporation of references to the requirements of the current terms and conditions issued under Order-in-Council 274/70;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

DEFINITIONS

1. In this By-law;

(a) The definitions for "Act", "three-card monte", and "lottery scheme" found respectively in The Criminal Code, R.S.C. 1985, Chapter C-46, sections 1, 206 and 207, are adopted for the purposes of this by-law.

(b) The definitions of "charitable object or purpose", "charitable organization", and "Minister" found in Ontario Order-in-Council No. 274/70 are adopted for the purposes of this by-law.

(c) "applicant" includes a person, association, organization, partnership or group making an application for a licence;

(d) "City" means The Corporation of the City of Hamilton;

(e) "Chief Constable" means Chief Constable of the Regional Municipality of Hamilton-Wentworth;

(f) "Council" means the Council of the City;

(g) "Criminal Code" means The Criminal Code, R.S.C. 1985, Chapter C-46;

(h) "licence" means a licence issued by the Chief Lottery Licence Officer under this by-law, but includes a Provincial Licence requiring approval of the City as the context of this by-law requires;

(i) "Licence Administrator" means the Licence Administrator appointed by the City;

(j) "licence inspector" means an officer appointed for the purposes of inspection or enforcement of by-laws of the City;

(k) "police constable" means a peace officer who is a member of a police force or appointed by the Minister under the Ontario Order-in-Council 274/70;

(l) "Provincial Licence" means a licence issued by the Province of Ontario to conduct a lottery scheme under the authority of the Criminal Code.

(m) "Provincial Terms and Conditions" means the requirements and obligations contained in the forms supplied by the Ministry of Consumer and Commercial Relations, attached as Schedules "1", "2", and "3", as they are applicable to the type of licence applied for or held, and which include the requirements of the licence applications and reports forming part of such schedules;

(n) "to the satisfaction of the Chief Lottery Licence Officer" means the adoption of measures in compliance with or reasonable and sufficient to ensure compliance with applicable laws, and including compliance with the provisions of this by-law.

2.(1) The Licence Administrator is hereby appointed Chief Lottery Licence Officer.

(2) Every licence inspector is hereby appointed a lottery licence officer.

PART I

LICENCES

3.(1) Subject to subsection (3), the Council, where it deems it expedient in the best interest of the inhabitants of the City, may issue a licence authorizing any charitable organization or religious organization to conduct or manage a lottery scheme if;

(a) the proceeds from the lottery scheme are used for a charitable or religious object or purpose, and

(b) in case of a lottery scheme conducted by the charitable or religious organization at a bazaar,

(i) the amount or value of each prize awarded does not exceed One Hundred Dollars, and

(ii) the money or other valuable consideration paid to secure a chance to win a prize does not exceed Fifty Cents.

(2) A licence issued under subsection (1) may be issued for one or more occasions.

(3) Notwithstanding the provisions of subsection (1), no licence shall be issued to a charitable or religious organization where,

(a) the organization proposes to use the services of a person or organization to conduct and manage the lottery on its behalf, for a fee or other valuable consideration;

(b) the total value of all prizes to be awarded,

(i) in the operation of a single occasion bingo lottery exceeds $3,500.00 cash or merchandise or article of equivalent market retail value,

(ii) in the operation of a single occasion raffle lottery exceeds $5,000.00 cash or merchandise or articles of equivalent market retail value;

(c) pyramiding of games is to be permitted; or

(d) games of a type or kind known as razzle dazzle, roll down, three card monte, punch board, coin table, any dice game, or any variation thereof, are to be operated.

4.(1) The Chief Lottery Licence Officer shall issue such licences as Council may authorize.

(2) Subject to subsection (1), no other provision of this by-law shall be deemed to oblige the Chief Lottery Licence Officer to issue a licence.

5.(1) Not more than one licence shall be issued to an applicant.

(2) No person to whom a licence has been issued shall be issued any other licence.

(3) Where a licence has been issued, no licence shall be issued to a branch, division or any other part of the licensee or to any applicant acting on behalf of the licensee or its branch, division or any other part of it.

(4) Where a licence has been issued to a branch, division or any other part of a person, association, partnership or group, no licence shall be issued to the person, association, partnership or group.

6. A licence issued to an applicant shall be in the form and content prescribed in the Provincial Terms and Conditions.

7. A licence issued under this by-law is not transferable.

8.(1) A licence issued by the Chief Lottery Licence Officer is the property of the Council and shall be returned to the Chief Lottery Licence Officer within 7 days after the date of the occasion or the date of the last occasion for which it was issued.

(2) No licence shall be issued by the Chief Lottery Licence Officer until all licences previously issued have been returned to the Chief Lottery Licence Officer.

9.(1) A copy of each application for a licence shall be forwarded by the Chief Lottery Licence Officer to the Chief Constable.

(2) A copy of each licence approved shall be forwarded by the Chief Lottery Licence Officer to the:

(a) the Chief Constable;

(b) the Entertainment Standards Branch of the Ministry of Consumer and Commercial Relations; and

(c) the Chief Inspector, Anti-Gambling, Ontario Provincial Police.

PART II

APPLICATION FOR A LICENCE

10.(1) Subject to subsection (2), an application for a licence shall be made to the Chief Lottery Licence Officer no later than 45 days prior to the date or the first date on which the lottery scheme is to occur.

(2) An application for approval of a Provincial Licence shall be made to the Chief Lottery Licence Officer no later than 90 days prior to the date or the first date on which the lottery scheme is to occur.

11. A true copy of the application shall be lodged by the Chief Lottery Licence Officer with the Chief Constable.

12. An application for a licence shall be in form and content prescribed in Schedules 1 through 3 as applicable.

13. The Chief Constable shall,

(a) make such investigation as he may require on every application for a licence, and

(b) make a report to the Chief Lottery Licence Officer.

PART III

FEES

14.(1) The applicant shall pay a licence fee at the time of making of the application in such amount prescribed in Schedule "4".

(2) No licence shall be issued until a licence fee has been paid.

(3) Where no licence is issued, the licence fee shall be refunded to the applicant.

(4) No licence fee shall be refunded to the licensee where a licence is suspended or cancelled or otherwise ceases to be in force.

PART IV

BINGO LOTTERIES

15. Every bingo licensee shall in writing appoint a person, being a bona fide member of its charitable or religious organization, to act as bingo lottery manager during the occasion of the bingo lottery.

16. The bingo lottery manager shall supervise the management and carrying on of the bingo lottery.

17. No person other than a bona fide member of the licensee, shall directly or indirectly perform any service, function or duty in the conduct of the licensed bingo lottery including,

(a) supervision;

(b) volunteer or other assistance;

(c) assigning duties;

(d) supervising any instruction on the performance of any service, function or duty, and verifying the instructions with the bingo manager;

(e) designing the schedule of games;

(f) awarding prize monies;

(g) stipulating the amount of card prices;

(h) controlling and regulating,

(i) the rate charged for bingo cards; and

(ii) collection of payment for bingo cards;

(i) calling the bingo;

(j) checking and validating all claims of bingo;

(k) designing and placing of all bingo advertisements;

(l) keeping all records relating to the lottery bingo occasion;

(m) handling all receipts, cash or other payments;

(n) payment of all prizes;

(o) payment of all administrative costs, including hall rental, bingo cards, supplies, equipment, advertising, honorariums and security;

(p) setting up, maintaining, access, and signing authority for the bank account, and access and control of cash float;

(q) distribution of proceeds for approved charitable or religious purposes;

(r) supervise the admittance of players to the hall, and ensuring no admission is charged; and

(s) preparation of financial reports and submission of the reports to the City.

18. The bingo lottery manager shall,

(a) be continuously present on the premises or part thereof during the full occasion of the bingo lottery;

(b) make all such reports as may be necessary under this bylaw on behalf of a licensee; and

(c) be familiar with the provisions of,

(i) The Criminal Code of Canada relating to lottery schemes,

(ii) Ontario Order-in-Council 274/70 as amended,

(iii) the Provincial Terms and Conditions, and

(iv) the provisions of this by-law.

19.(1) A bingo lottery licence may be issued for a single occasion, or for a number of occasions occurring during a period not exceeding one calendar year.

(2) A bingo lottery licence shall specify the place where the bingo lottery is to be operated, the date or dates of operation, and the starting and finishing times.

(3) No one shall conduct a bingo lottery scheme, and no bingo lottery licence shall be approved, where the lottery does not allow for a separation of at least one half hour between other licensed bingo lotteries for the same location.

(4) No bingo game cards for an event shall be sold until after the conclusion of the previous event for that location and date.

20.(1) Every bingo licensee shall submit to the Licensing Committee for its approval all proposed schedules of rates to be charged for bingo cards.

(2) No bingo licensee shall charge for any bingo card except in accordance with the schedule of rates as approved by the Licensing Committee.

21. A bingo licensee shall ensure that seating capacity is in compliance with legal requirements, and abide by such limits thereon as may be posted by order or by-law at the location used for bingo games.

22. The total receipts for each bingo lottery shall be divided as follows:

1. A maximum of 65% of the total receipts shall be paid as

prizes.

2. Not more than 15% of the total receipts shall be paid for or on account of expenses.

3. Not less than 20% of the total receipts shall be paid to the charitable or religious organization to whom the licence was issued.

23. No bingo caller in a bingo lottery shall have a pecuniary interest, directly or indirectly in any form whatsoever, in the bingo game which he is conducting.

24. No floor checker in a bingo lottery shall check any card in which he has an interest, pecuniary or otherwise, directly or indirectly and in any form whatsoever.

25. Every floor checker in a bingo lottery shall audibly confirm each number on the card being checked, while the caller is calling back the winning numbers of a claimed bingo.

26. In addition to any other requirements under this by-law, a bingo lottery licensee and bingo lottery manager shall comply with the following regulations:

1. Conduct or allow to be conducted only the type of game provided in the licence.

2. Display the licence conspicuously, and keep and maintain the licence displayed conspicuously, at the location and during the occasion for which the licence was issued.

3. Post one or more signs having dimensions and letter size as set out in Table 1 below, conspicuously placed so as to be clearly visible to the bingo lottery players, showing the bingo lottery rules in form and content hereto annexed as Schedule "5".

TABLE 1

	Minimum Height	Minimum Width
Sign (in Metres)	2	1
Letters (in centimetres)	3.75	1

4. Retain all books of account and all other records for not less than four years from the date of the occasion on which the bingo lottery was conducted.

5. Not allow or acquiesce in a person under the age of 16 years to operate or assist in the operation of a bingo lottery, or to play or take part in the play of the bingo lottery.

6. Where a bona fide member of a licensee assists in the conduct of a bingo lottery, not allow compensation paid to the person to exceed $8.00 for each occasion.

7. Keep and maintain a record of all members assisting in the conduct and management of the bingo lottery, and the amount of compensation paid to the person for each occasion.

8. Not provide, directly or indirectly, or allow to be provided, transportation of patrons to and from the place where any bingo lottery is conducted, without the prior written consent of the Licence Committee or Council pursuant to the Provincial Terms and Conditions.

27. The players, persons assisting in the game, persons involved in the management and conduct of the game, and all other persons to

whom the bingo lottery rules apply, which rules are attached hereto as Schedule "5", shall comply with the rules.

PART V

RAFFLE LOTTERIES

28. A raffle lottery licence shall be issued for not more than one individual raffle scheme.

29. The winner or winners in each individual raffle scheme shall be determined and publicized in the manner set out in the application.

30. Every raffle lottery licensee shall comply with the following regulations:

1. Set out in its application for a raffle lottery licence, the total number of raffle lottery tickets to be printed for sale.

2. Number all raffle lottery tickets consecutively and in sequence.

3. Print, or cause to be printed, on the face of the raffle ticket, the following information:

(a) The name and address of the licensee.

(b) The date and time at which the draw on the raffle lottery is to be held.

(c) The number and nature of the prizes to be awarded on the raffle lottery.

(d) The licence number of the licensee.

(e) The consecutive number of each raffle lottery ticket.

(f) The name of the printer of the raffle lottery ticket.

4. Retain all unsold tickets and counterfoils of tickets sold, for a period of not less than 90 days from the date of the raffle lottery draw.

5. Produce or make available, all unsold tickets upon demand by a lottery licence officer or police constable.

PART VI

GENERAL

31. Every licensee shall comply with the following regulations:

1. Produce the lottery licence immediately upon demand by a lottery licence officer or a police constable.

2. Except as otherwise provided in the Provincial Terms and Conditions, use the gross receipts derived from the lottery for the charitable or religious object or purpose as set out in the application for a licence, less the cost of the prizes awarded and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery scheme.

3. Submit to the City, not later than 30 days after the holding of each licensed lottery scheme, a written report on forms furnished by the City, including the following information:

(a) the total gross receipts derived from the lottery scheme;

(b) the total cost of all the prizes actually awarded, and

whether paid by cash or cheque;

(c) an itemized list of all costs actually incurred in the management and conduct of the lottery;

(d) the total proceeds donated for charitable or religious purposes as set out in the application of the licence;

(e) the name and address of any payee to whom proceeds are paid and the names and addresses of the donee to whom any proceeds are donated for religious purposes and charitable purposes.

4. Comply with all provisions of the law, including but not limited to the following:

(a) the Criminal Code,

(b) Provincial Order-in-Council 274/70, as amended,

(c) the Provincial Terms and Conditions, and

(d) the provisions of this by-law.

32. No person or organization shall be employed to manage or conduct a lottery scheme, either upon a fee or contingency basis, unless such person or organization has received prior approval, in writing from the Minister, and an original copy of such approval has been given to the Chief Lottery Licence Officer at least 5 days in advance of the date set for the lottery scheme.

33. A lottery licence officer or any police constable shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the lottery scheme before or after the issue of a licence.

34.(1) Where a police constable is satisfied that there exists a breach of the law or that the holding of the lottery scheme will result in a breach of the law, he may order the licensee or its officers, agents or servants, to cease and desist from further conducting the lottery scheme, upon threat of prosecution for failure to comply.

(2) Where an order has been made under subsection (1), the police constable shall in addition to any other action provide a report of the incident to the Chief Lottery Licence Officer.

35. No person shall hinder or molest or interfere with a lottery licence officer or police constable doing anything he is authorized to do or to prevent or attempt to prevent the lottery licence officer or police constable from doing any such thing.

36. Compliance with the provisions of this by-law is a term and condition of,

(a) the issue of a licence;

(b) the remaining in force of a licence.

37. Where a licence holder under this by-law, in the management or conduct of the lottery scheme and distribution of proceeds thereof, fails to comply with,

(a) any provision of this by-law or any other law; or

(b) any terms and conditions imposed on the licence, including those imposed by the Schedules attached to this by-law,

the Council may revoke or suspend the licence.

38.(1) Where the Council deems it expedient in the best interest of

the City, the Council may cancel or suspend the licence.

(2) A licence that is not in force includes a licence that is cancelled or suspended.

39. No person, partnership, association or group shall conduct and manage a lottery scheme unless a licence has been issued under this by-law and is in force on the occasion of the lottery scheme.

40.(1) The Council may approve or disapprove the issuance of a Provincial Licence which affects the City of Hamilton.

(2) The approval or disapproval shall be in writing.

41. The following By-laws are repealed:

1. By-law No. 78-130, passed on the 25th day of April, 1978, except for section 55 thereof.

2. By-laws amending By-law 78-130, being City of Hamilton By-law Nos. 80-188, passed on the 24th day of June, 1980, No. 81-248, passed on the 8th day of September, 1981, No. 82-44 passed on the 23rd day of February, 1982, No. 86-38 passed on the 10th day of December, 1985, No. 87-18 passed on the 13th day of January, 1987, and No. 89-280 passed on the 26th day of September, 1989.

42. The attached Schedules are annexed hereto and form a part of this by-law, being;

1. Schedule "1" : Part "A"-General Terms and Conditions Under Which a Lottery Licence is Issued, Part "B"-Application to Manage and Conduct a Raffle Lottery, and Part "C"-Application to Manage and Conduct a Lottery Type Scheme at a Bazaar.

2. Schedule "2" : Part "A"-Terms and Conditions Under Which the Bingo Lottery Licence is Issued, Part "B"-Application to Manage and Conduct a Bingo Lottery, and Part "C"-Bingo Lottery Report.

3. Schedule "3" : Part "A"-Terms and Conditions Under which the Break Open Ticket Licence is Issued, Part "B"-Application to Manage and Conduct a Nevada Ticket Lottery, and Part "C"-Nevada Ticket Lottery Report.

4. Schedule "4" : Licence Fees.

5. Schedule "5" : Bingo Lottery Rules.

SAVING

43. In the event of a conflict between the provisions of this by-law and any Federal or Provincial Act, or an Order-in-Council of the Province passed under the authority of section 207 of the Criminal Code, or the Provincial Terms and Conditions, the provisions of such Act, Orders-in-Council, or term and condition as applicable, prevail to the extent of such conflict.

44. This by-law may be cited as "The Lottery Licence By-law, 1991".

PASSED this *10th* **day of** *December* **, 1991.**

Deputy **City Clerk** *Acting* **Mayor**

(1991)

SCHEDULE A

TERMS AND CONDITIONS UNDER WHICH THE LOTTERY LICENSE IS ISSUED

It is a condition of each license that:

(a) The license shall comply with sections 189 and 190 of the Criminal Code of Canada;

(b) The license shall comply with all the terms and provisions set out in the application for the license;

(c) The license shall maintain all funds raised in a separate account and shall maintain such records for such period of time as may be prescribed by the Minister;

(d) The gross receipts derived from the lottery shall be used for the charitable or religious object or purpose as set out by the license in the application for license, less the cost of the prizes awarded and such reasonable and necessary administrative prizes awarded and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery, provided expenses actually incurred in the management and conduct of the lottery, provided the expenses do not exceed such limits as may be prescribed by the Minister;

(e) Such officers as the municipal council or the Minister may appoint, and all Peace Officers shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the license has been granted, either prior to, during, or after the conclusion of such proceedings;

(f) The license shall conduct or allow to be conducted only the type of game or games provided in the application and the license;

(g) The license shall produce the license upon demand;

(h) The license shall submit to the licensing authority, not later than 30 days after the holding of each licensed lottery, a written report showing;

  (i) The total gross receipts deriving from the lottery,

  (ii) The total value of all prizes actually awarded,

  (iii) An itemized listing of the administrative costs actually incurred in the management and conduct of such lottery,

  (iv) The total of cash proceeds donated for charitable or religious purposes as set forth in the application of the application of the licensee, and the name and address of the payee.

Each raffle lottery shall also be subject to the following additional terms and conditions:

(a) Each individual raffle lottery must have a license;

(b) The winner or winners shall be determined and publicized in the manner set out in the application;

(c) The charitable or religious organization managing and conducting the licensed raffle shall,

  (i) Indicate on the face of the tickets the name and address of the organization, the location, the date, the time at which the draw is to be held, the number of the ticket, and the name of the printer,

  (ii) Provide for the consecutive numbering of tickets,

  (iii) Retain all unsold tickets and counterfoils of sold tickets for a period of not less than 90 days from the date of the draw, and produce them to a Peace Officer or such other person as the municipal council or the Minister may appoint,

  (iv) Indicate in its application the number of tickets to be printed for sale.

NOTE:

A licensee shall not:

(a) Use the services of a person or organization to conduct and manage the lottery on its behalf, for a fee or other valuable consideration;

(b) Permit the pyramiding of games;

(c) Permit games of a type or kind known as razzle dazzle, roll down, three card monte, punch board, coin table, or any dice games;

(d) In the case of a licensed lottery type scheme at a bazaar, offer any prize having a value in excess of $100.00 or charge in excess of fifty (50) cents for a chance to secure a prize.

Ministry of Consumer and Commercial Relations
Ontario

Application to Manage and Conduct a Raffle Lottery

We, the undersigned, as two principal officers of record of (organization) .....
.....
(address) .....
apply for a licence to manage and conduct a Raffle lottery from the premises municipally known as .....
.....
and situated in the Municipality of .....
between the dates specified, and for the charitable or religious objects or purposes, and in the manner described herein.

1. The charitable or religious objects or purposes to which proceeds are to be donated are described as
.....
.....
.....

2. The total value of all prizes to be awarded in the Raffle lottery for which this application is made will be $ ..... cash value, or merchandise or articles at equivalent market retail value.
Merchandise prizes are described as .....
.....

3. Closing date for the sale of tickets will be ..... and the draw for a winner or winners will be made at (address) .....
.....
on (date) ..... at (time) .....
If a series of draws, beginning date ....., ending date .....,
Number of draws .....

4. A winner or winners will be determined by (describe) .....
.....
and the name(s) and address(es) of the winner or winners will be publicized by (describe) .....
.....

5. The total number of tickets to be printed will be ..... and all tickets printed to this total will be numbered consecutively from ..... to .....
Price per ticket $.....

CERTIFICATE

We (name) ..... and (name) .....
of (organization) .....
of (municipality) ..... of the County of .....
jointly and severally, hereby certify that:

(1) We have read, and have in our possession, and agree to comply with, the provisions of Schedule A – Terms and Conditions under which the Lottery Licence is issued.

(2) We have read over this application.

(3) All facts stated and information furnished herein are true and correct,

(4) We are the holders of the offices with descriptive title as set out and appearing under our respective signatures below,

(5) If a licence is granted, we undertake to comply with all the terms and conditions of such licence.

Signed	Signed .....
Print Name	Print Name .....
Title	Title .....
Address	Address .....
Bus. Telephone No.	Bus. Telephone No. .....
Date	Date .....
Witness (sign)	Witness (sign) .....

COUNCIL OF THE MUNICIPALITY OF _____ SCHEDULE "1": PART "C"

APPLICATION TO MANAGE AND CONDUCT A LOTTERY TYPE SCHEME AT A BAZAAR

We, the undersigned, as two principal officers of the below named organization apply for a licence to manage and conduct a Lottery Type Scheme at a Bazaar to be managed and conducted by us.

NAME OF ORGANIZATION	ALL INFORMATION TO BE PRINTED OR TYPED. USE SEPARATE SCHEDULE IF SPACE INSUFFICIENT.
ORGANIZATION ADDRESS	DATE OF APPLICATION
	TELEPHONE NUMBER (PRINCIPAL OFFICER)

TYPE OF LOTTERY SCHEME(S) TO BE OPERATED

GAMES OF CHANCE (wheels of fortune only)	TYPE OF WHEEL	NUMBER

DRAWS	TYPE OF DRAW	NUMBER	PRIZES TO BE AWARDED

CHARITABLE OR RELIGIOUS OBJECTS OR PURPOSES TO WHICH PROCEEDS ARE TO BE DONATED

NAME AND LOCATION OF PREMISE WHERE THE LOTTERY WILL BE CONDUCTED

NAME				
LOCATION		MUNICIPALITY		
DATES	FROM TO	TIME	FROM	TO

CERTIFICATE

WE	NAME OF OFFICER	AND	NAME OF OFFICER
OF	NAME OF ORGANIZATION		
OF	MUNICIPALITY	IN THE	COUNTY OF

jointly and severally, hereby certify that:

(1) We have read, and have in our possession, and agree to comply with, the provisions of Schedule A — Terms and Conditions under which the Lottery Licence is issued,

(2) We have read over this application,

(3) All facts stated and information furnished herein are true and correct,

(4) We are the holders of the offices with descriptive title as set out and appearing under our respective signatures below.

(5) If a licence is granted, we undertake to comply with all the terms and conditions of such licence.

	SIGNATURE OF OFFICER	
	PRINT NAME	
	TITLE & TEL. NO.	
	ADDRESS	
	DATE	
	WITNESS SIGNATURE	

06003

Ontario Ministry of Consumer and Commercial Relations

TERMS AND CONDITIONS UNDER WHICH THE BINGO LOTTERY LICENCE IS ISSUED

INTERPRETATION:

(a) Bingo means and includes a specific game of chance, commonly known as bingo, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.

(b) "Regular Bingo Licence" means a licence permitting the conduct of bingo on more than three occasions but not exceeding twenty-six occasions during any six month period.

(c) "Special Bingo Licence" means a licence permitting the conduct of bingo on not more than three occasions during any three month period.

(d) "Net Proceeds" means the amount of the gross receipts derived from the conduct of the bingo that shall remain after deducting all reasonable sums necessarily and actually expended for supplies and equipment, prizes, rental and administration.

It is a condition of each licence that —

(1) The Licencee shall comply with Sections 206 and 207 of the Criminal Code of Canada.

(2) The licencee shall comply with all the terms and provisions set out in the application for licence.

(3) **The licencee shall maintain all funds raised in a separate account.** Such account shall be appropriately designated and into it shall be deposited all and only monies received from the operation of the bingo less the amount awarded in cash prizes. All withdrawals from such designated lottery account shall be exclusively by cheque and only be for the purpose of payment of the necessary and reasonable expenses incurred in the operation and conduct of the bingo or for the disbursement of net proceeds derived from the conduct of the lottery for one or more charitable objects or purposes. The commingling of monies derived from the conduct of a lottery with any other funds of the licencee or monies derived from one type of lottery with monies derived from another type of lottery is strictly prohibited.

(4) The books of account shall be kept up-to-date and all such books of account and all other records shall be maintained for a period of no less than four years.

(5) The net proceeds from the bingo lottery shall be used for a charitable or religious object or purpose in Ontario.

(6) The licencee shall conduct or allow to be conducted only the type of game or games provided in the application and the licence.

(7) The licencee shall not permit any person apparently under the age of sixteen years to play any game of bingo.

(8) The licencee shall produce the licence on demand.

(9) Each licence shall be conspicuously displayed at the place where the bingo is to be conducted and at all times during the conduct thereof.

(10) No person except a bona fide member of the licencee shall participate in the management and conduct of the bingo lottery and no person shall receive any remuneration for participating in the management and conduct of the bingo lottery occasion save and except an honorarium not in excess of Eight Dollars ($8.00). Notwithstanding the foregoing, a licencee may hire sufficient personnel to maintain security at the bingo.

(11) The officers of the licencee shall designate a bona fide, active member of the licencee to be in charge of and primarily responsible for the conduct of the games of bingo on each occasion. The member in charge shall supervise all activities on the occasion for which he/she is in charge and shall be responsible for the making of the required report on the results thereof. The member in charge shall be familiar with the provisions of the Criminal Code of Canada, the terms and conditions governing licences as set out herein and any additional terms of the licence. **He/she shall be present on the premises continuously during the operation of the bingo.**

(12) The aggregate amount of all prizes offered or given in all games played on a single occasion under the authority of a Regular Bingo licence shall not exceed the sume of Five Thousand Five Hundred Dollars ($5,500). Municipally licenced events not to exceed $3,500.

(13) The aggregate amount of all prizes offered or given in all games played on a single occasion under the authority of a Special Bingo licence shall not exceed the sum of Ten Thousand Dollars ($10,000). Municipally licenced events not to exceed $3,500.

(14) No licence for the conduct of any game of bingo shall be effective for a period of more than six months from the date of original issuance; provided, however, that such licence may be renewed for successive six month periods.

(15) The total expenses, exclusive of prizes awarded, in the conduct and management of any bingo lottery shall not exceed 15% of the gross receipts derived therefrom.

(16) The total net proceeds from the bingo lottery shall be used for a charitable or religious object or purpose in Ontario and shall be not less than 20% of the gross receipts.

SCHEDULE "2": PART "B"

Ministry of Consumer and Commercial Relations
Ontario

Application to Manage and Conduct a Bingo Lottery

We, the undersigned, as two principal officers of record of (organization) (address)

_____

_____ Postal Code

apply for a licence to manage and conduct a Bingo lottery at the dates and times, and for the charitable or religious object of purpose, and in the manner described herein.

1. Check one ☐ A single Bingo lottery to be held on (date) _____

starting at (time) _____ finishing at (time) _____

☐ A series of Bingo lotteries to be held in the period from (date) _____

to (date) _____, each lottery starting at (time) _____

finishing at (time) _____ and at the rate of (weekly/specify) _____

Total number of event _____ Specific Dates _____

To be held on ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday ☐ Sunday

2. The charitable or religious objects or purposes to which proceeds are to be devoted are described as

1. _____	5. _____
2. _____	6. _____
3. _____	7. _____
4. _____	8. _____

3. Is Applicant incorporated as a non-profit Organization in the Province of Ontario? ☐ YES ☐ NO
If Yes, give incorporation number _____

4. Is the Organization registered with the Department of National Revenue as a charitable organization? ☐ YES ☐ NO
If Yes, give Registration Number _____

5. How long has the Organization been in existence? _____

6. How many members does the Organization have? _____

7. Is this organization presently running bingo events? ☐ Yes ☐ No —Weekly —Biweekly
If yes, at which Hall? _____ —Monthly —Quarterly
☐ Municipal Licence ☐ Provincial Licence —Other _____

8. The total value of all prizes to be awarded within the operation of each Bingo lottery for which this application is made is not to exceed $_____ cash value, or merchandise or articles at equivalent market retail value.

9. Indicate Premises where Bingo games will be conducted.
Name _____ Location _____ street
_____ municipality Postal Code
Capacity of Premises for Public Assembly Purposes _____

10. Designated Member in Charge
I, as an active, bona fide member of _____ organization
hereby certify that as the designated member in charge of the Bingo lottery for which this application is made, I will be responsible for the management and conduct of the Bingo lottery in accordance with the terms and conditions under which the Bingo lottery licence is issued.

(TO BE COMPLETED BY SECOND DESIGNATED MEMBER WHERE APPLICABLE)

	PRINT Name in Full	
	Title	
Number and Street	Address	Number and Street
City and Province / Postal Code		City and Province / Postal Code
Home / Business	Phone Numbers	Home / Business
	Date	
	Signature	

78002 02/80

(Over)

Ontario · Ministry of Consumer and Commercial Relations

Ministère de la Consommation et du Commerce

10 Wellesley St. E., 5th Floor
Toronto, Ontario
M7A 2H8

10, rue Wellesley est, 5e étage
Toronto (Ontario)
M7A 2H8

SCHEDULE "Z": PART "C"

BINGO LOTTERY REPORT
RAPPORT DE BINGO

This report must be filed with the Lottery Licencing Officer, not later than 10 days after the holding of each licenced bingo in accordance with the Terms and Conditions under which the Bingo lottery licence is issued.
Ce rapport doit être soumis à l'agent responsable des permis de loterie dans les dix jours qui suivent chacun des bingos autorisés, conformément aux conditions de délivrance du permis de bingo

Name of organization / Nom de l'organisme

Address / Adresse

Premises utilized / Locaux utilisés	Hall Address / Adresse des locaux	City/Town / Ville/Localité	Postal Code / Code postal

Lottery Licence No / Permis de bingo N°	Total Prizes Licenced / Total des prix autorisés	Date of Bingo / Date du bingo (y/a, m/m, d/j)	Time Event Licenced / Durée du bingo From / de — To / à (am/pm, h)

No of players attending / Nombre de joueurs présents	Designated member in charge / Personne responsable désignée	Home Phone Number / Tél. à dom	Bus. Phone / Tél. d'aff.

1. Details of Gross Receipts and Prizes Awarded / Détails des recettes brutes et des prix attribués

	Canadian Funds / Dollars canadiens				U.S. Funds / Dollars americains			
	No of cards sold / Nbre de cartes vendues	Price per card / Prix de la carte	Receipts / Recettes	Prizes / Prix attribués	No. of cards sold / Nbre de cartes vendues	Price per card / Prix de la carte	Receipts / Recettes	Prizes / Prix attribués
A Regular Games & Extra / Parties régulières et supplémentaires 1								
2								
3								
4								
5								
6								
(1) Early Birds (Total) / Parties pour matineux (Total)								
(2) Special No. 1 / Partie spéciale N° 1								
(3) Special No. 2 / Partie spéciale N° 2								
(4) Special No. 3 / Partie spéciale N° 3								
(5) Special No. 4 / Partie spéciale N° 4								
(6) Special No. 5 / Partie spéciale N° 5								
(7) Special No. 6 / Partie spéciale N° 6								
(8) Night Owls (Total) / Parties pour oiseaux de nuit (total)								
(9) Other / Autres								
(10) Other / Autres								
Total ▶								

Details of Gross Receipts / Details des recettes et des prix attribués

A Total Receipts in Canadian Dollars / Total des recettes en dollars canadiens	$
B Total Receipts in U.S. Dollars / Total des recettes en dollars américains	$
C + State Premium on U.S. Dollar(s) _____% + Indiquer le taux de change	$
Total Gross Receipts (A + B + C) / Total des recettes brutes (A + B + C)	$

D Total Prizes in Canadian Dollars / Total des prix en dollars canadiens	$
E Total Prizes in U.S. Dollars / Total des prix en dollars américains	$
F + State Premium on U.S. Dollar(s) _____% + Indiquer le taux de change	$
Total Prizes Awarded (D + E + F) / Total des prix attribués (D + E + F)	$

2. Details of Administrative Expenses / Détails des frais d'administration encourus

Item / Poste	Name of Payee / Nom du bénéficiare	Cost $/Coût en $
Hall Rent / Location de la salle		
Supplies / Fournitures		
Advertising / Publicité		
Honorariums / Honoraires		
Equipment / Équipement		
Security / Securité		
Licence Fee / Frais de permis		
Other (List) / Autres (préciser)		
Total Administrative Expenses to be paid in Canadian Funds only / Total des dépenses administratives à acquitter en dollars candiens seulement		$

3. Total Net Proceeds derived from this event / Produit net de ce bingo $_____

(Total Net Proceeds = Total Gross Proceeds – Total Prizes – Total Administrative Expenses)
(Produit net = total des recettes brutes – total des prix – total des frais d'administration)

06348 (02/89)

TERMS AND CONDITIONS UNDER WHICH THE BREAK-OPEN TICKET LICENCE IS ISSUED (FORM BOIL-TC)

It is a condition of each licence that:

(1) The licencee shall comply with Sections 189 and 190 of the Criminal Code of Canada.

(2) (a) the licencee shall comply with all the terms and conditions set out in the application for licence.

(b) an application for Break-Open Tickets shall be made either:

(i) to the local Municipal Council in those Municipalities where all Break-Open Ticket licences are issued by that Municipality with the exception of the provisions contained in Section 5, or, in all other cases

(ii) to the Lotteries Branch, after appropriate approval is obtained from the local Municipal Council or Band Council where the sales are proposed to take place.

(3) A Break-Open Ticket Licence shall only be issued to a charitable or religious organization which owns or regularly occupies premises at which tickets will be offered for sale.

(4) (a) Each applicant for a licence shall specify one designated location at the address where all Break-Open Tickets will be sold. If a licence is issued, tickets shall not be sold at any place other than the location designated in the application and specified on the licence.

(b) The designated location specified pursuant to this section shall not be a public, commercial, retail location, nor a location licenced by the L.L.B.O. as a public tavern or beverage room.

(5) Break-Open Tickets may be sold in association with another Social Gaming event provided that:

(i) the tickets are sold under a licence issued by the Lotteries Branch pursuant to Section 2(b)(ii)

(ii) the licence is issued only to the charitable or religious group(s) conducting the other event(s) at the location where the tickets are to be sold

(iii) all terms and conditions for the sale of Break-Open Tickets and the conduct of the other event(s) are complied with.

(6) No licence shall be issued for a period exceeding six months.

(7) A licence shall be issued only for the sale of Break-Open Tickets which retail for a maximum of .50¢ and conform with the ticket quantities, prices and prize payouts as provided below; scratch-off or other forms of break-open tickets are not permitted. The value of any prize awarded shall not exceed $100.00.

COMMON NAME	NO. OF TICKETS PER UNIT	PRICE PER TICKET	GROSS UNIT REVENUE	NO. OF WINNING TICKETS PER UNIT	PRIZES PER UNIT	LICENCE FEE PER UNIT
Regular	1668 or 1664	$ .50	$ 834 or $ 832	224	$600.00	$10.00
Super	2184	$ .50	$1092	224 or 228	$800.00	$12.00
Junior	1668 or 1664	$ .25	$ 417 $ 416	224	$284.00	$5.00

(8) The licencee shall forward a copy of the licence to the manufacturer or the distributor from which tickets are to be purchased.

(9) The applicant shall supply, upon the request of the licencing authority, a signed right of access from the distributor and the manufacturer of the tickets for which the application is submitted.

(10) The licencee shall indicate on the face of the tickets the name of the organization, the numbers and amounts of the prizes to be awarded, the price of a ticket, the serial number of the ticket, the licence number and the name of the manufacturer of the ticket.

(11) The licencee shall maintain all funds raised in a separate account. Such account shall be appropriately designated and into it shall be deposited all and only monies received from the operation of the Break-Open Ticket Lottery less the cash payments made for prizes and administrative expenses. All withdrawals from such designated lottery account shall be exclusively by cheque and only be for the purpose of the payment of the necessary and reasonable expenses incurred in the operation of the lottery or for the disbursement of net proceeds derived for one or more charitable object or purposes. The comminglings of monies derived from the conduct of a lottery with any other funds of the licencee or monies derived from Break-Open Tickets Lottery with monies derived from any other type of lottery is strictly prohibited.

(12) The gross receipts derived from the sale of Break-Open Tickets shall be used for the charitable or religious objects or purposes set out by the licencee in the application for the licence less all reasonable costs actually expended for the payment of prizes, the purchase of tickets, administrative costs and licence fees.

(13) All proceeds derived from the sale of Break-Open Tickets shall be used for a charitable or religious object or purpose in Ontario.

(14) No part of the proceeds derived from the conduct of a Break-Open Ticket Lottery shall be applied to the premises at which the sale of Break-Open Tickets is authorized unless the use of the proceeds for such purpose shall enhance the ability of the licencee to perform services of public good or welfare, and written permission is obtained from the Licencing Authority. The maximum amount of proceeds which any licencee may expend on the premises shall not exceed twenty-five percent of the total net proceeds derived from the conduct of the lottery.

(15) No licencee shall offer for sale any ticket or number of tickets not contained in a jar, box or other container in which all tickets of the given unit have been placed for sale.

(16) When the number of tickets within the container has been apparently reduced by one-half, the licencee shall refill the container by adding an additional unit (units) of tickets.

(17) (a) The licencee shall designate a bona-fide member or members of the organization to be primarily responsible for the sale of tickets, the payment of prizes and the keeping of all required records.

(b) The actual handling or selling of tickets shall not be delegated to any organization, company, entity, or to any other person who is not a bonafide member of the licencee.

(18) No person who is in any way associated with the sale of Break-Open Tickets shall be permitted to purchase a ticket or participate in the winnings of any ticket.

(19) No person or organization shall receive any remuneration for selling Break-Open Tickets. Maximum administrative expenses for the sale of tickets shall not exceed .01¢ (one cent) for each ticket sold.

(20) The licencee shall not sell any ticket at a price other than the price appearing on the face of the ticket.

(21) All Break-Open Tickets shall be opened by the purchaser at the premises stated on the licence and all winning tickets shall be exchanged for cash on the day of sale.

(22) Winning tickets shall be defaced by the seller at the time of prize payout.

(23) Each licencee will be held responsible for and shall guarantee the payment of all winnings.

(24) The licencee shall post the Break-Open Ticket Licence in a conspicuous place at the premises where tickets are being sold.

(25) The licencee shall obtain invoices for all Break-Open Tickets purchased and retain all invoices for a period of no less than two years.

(26) Each licence shall at all times maintain complete security over the Break-Open Tickets in its possession and all funds associated therewith. For control of inventory purposes, all stock must be stored and kept in one fixed location in order to permit, if requested, the periodic reconciliation of stock usage and cash flow.

(27) (a) The licencee shall not permit any person under the age of sixteen years to purchase a ticket.

(b) The licencee shall not extend credit, accept cheques or accept payment by way of credit card for the purchase of any Break-Open Tickets.

(28) Each licencee shall submit a report on the sale of Break-Open Tickets as set out in Form BOTL-R.

(29) Such officers as the Minister and Municipal Council may appoint, and all Peace Officers shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the licence has been granted, either prior to, during, or after the conclusion of such proceedings.

(30) A licence may be suspended, cancelled or renewal refused by the issuing authority for breach of any term or condition.

(31) The Minister may, at any time, suspend or cancel a licence for the breach of any term or condition, or where, in his opinion, to do so is in the public interest.

Ministry of Consumer and Commercial Relations
Ontario

SCHEDULE "3": PART "B"

Application to Manage and Conduct a Nevada Ticket Lottery

(Form NTL-A)

We, the undersigned, as two principal officers of record of (name of organization)

_____

(address) _____

apply for a licence to manage and conduct a Nevada Ticket Lottery at the premises municipally known as

_____

_____

and situated in the municipality of _____

If a licence is granted, all tickets applied for will be sold only at (specify exact location within the above premises.) _____

1. The specific Charitable or Religious Objects or Purposes to which proceeds are to be donated are described as _____

_____

_____

_____

2. Type of Nevada Tickets to be sold (check one)

   Regular Nevada ☐ Super Nevada ☐ Junior Nevada ☐

3. Description of Scheme

   (a) Number of Tickets per box/unit _____ _____

   (b) Price per ticket _____ $_____

   (c) Gross Revenue per unit _____ $_____

   (d) Total prizes per unit _____ $_____

   (e) Number of winning tickets per unit _____ _____

4. The Nevada tickets referred to in this application form are manufactured by (Name of Company) _____ and will be purchased from

   (Name and Address of Distributor) _____

   _____

5. Price per unit _____ $_____

6. Ticket sales will commence on (date) _____ and terminate on (date) _____ (maximum six month period).

7. The total number of units to be sold during the period for which the application is made shall not exceed _____ _____

(over)

06140

SCHEDULE "3": PART "C"

Ontario Ministry of Consumer and Commercial Relations / Ministère de la Consommation et du Commerce

Nevada Ticket Lottery Report
(Form NTL-R)

Rapport de loterie Nevada
(Formule NTL-R)

This report must be filed with the Lottery Licensing Officer in accordance with the Terms and Conditions under which the Nevada Ticket Licence is issued.
(see reverse for details)
Ce rapport doit être soumis au responsable des permis de loterie conformément aux conditions de délivrance des permis de loterie Nevada.
(voir les détails au verso)

Name of Organization *Nom de l'organisme*	
Address *Adresse*	Licence No *N° de permis*

1. Period for which this Report is made (check one)
Période couverte par ce rapport (cocher une case)

☐ Interim Report on ticket sales from (date) _____ to (date) _____
Rapport provisoire sur les ventes de billets du (date) *au (date)*

☐ Final Report on ticket sales from (date) _____ to (date) _____
Rapport final sur les ventes de billets du (date) *au (date)*

2. Type of Nevada Tickets sold (check one)
Genre de billets Nevada qui seront vendus (cocher une case)

		Number of tickets per unit *Nombre de billets par unité*	Price per Ticket *Prix du billet*
☐	Regular Nevada/*Nevada normal*		
☐	Super Nevada/*Super Nevada*		
☐	Junior Nevada/*Nevada Junior*		

3. Details of Ticket Inventory (for Report Period)
Inventaire détaillé des billets (pour la période couverte par le rapport)

Total Number of Units Licenced
Nombre total d'unités accréditées _____ _____

Number of Units placed in container
Nombre d'unités placées dans le conteneur _____ _____

Number of complete Units on hand
Nombre d'unités complètes disponibles _____ _____

Number of individual Tickets in container
Nombre de billets individuels dans le conteneur _____ _____

4. Total Gross Receipts Derived
Total brut des recettes obtenues $ _____

Application of Funds
Répartition des fonds

(a) Total Cash Prizes Awarded
Total des prix en espèces accordés $ _____

Net Receipts
Recettes nettes $ _____

(b) Administrative Costs Incurred
(for Units placed in the container)
Frais d'administration encourus
(pour les unités placées dans le conteneur)

Tickets/*Billets* $ _____

Licence Fees/*Frais de permis* _____

Container/*Conteneur* _____

Total Cost/*Total des frais* $ _____ ▶ $ _____

(c) Net Proceeds Derived
Recettes nettes obtenues $ _____

5. Details of Nevada Ticket Lottery Account
Compte détaillé de loterie Nevada

Name of Bank, Loan or Trust Company or Province of Ontario Savings Office *Nom de la banque, de la compagnie de prêt ou de fiducie ou de la Caisse d'épargne de l'Ontario*		Account No. *N° de compte*
Address/*Adresse*	Balance/*Solde*	$

06141 (12/87)

(over)
(Voir au verso)

SCHEDULE "4" : LICENCE FEES

To By-law No. 92-006

1. Bingo Lottery,

(a) Where the total value of prizes to be awarded within each occasion does not exceed $500.00, for each occasion .... $2.00.

(b) Where the total value of prizes to be awarded within each occasion exceeds $500.00 and not more than $3,500.00, for each occasion ..... a sum of money equal to 2% of the total retail money value of prizes to be awarded.

2. Raffle Lottery ..... a sum of money equal to 2% of the total retail money value of prizes to be awarded.

3. Lottery Scheme conducted at a bazaar ..... $10.00.

SCHEDULE "5"

To Lottery Licence By-law No. 92-006

BINGO LOTTERY RULES

1. PLAYER MUST HAVE GAME CARDS IN ORDER TO PLAY.

2. ANY DISPUTES ARE TO BE SETTLED BY THE LICENSEE'S MEMBER IN CHARGE.

3. NO PERSON UNDER 16 YEARS SHALL OPERATE, ASSIST IN THE OPERATION OF, OR PLAY IN A BINGO GAME.

4. ALL PRIZES SHALL BE ANNOUNCED PRIOR TO THE COMMENCEMENT OF THE GAME. PRIZES SHALL BE PAID BY CASH OR CHEQUE UNLESS MERCHANDISE PRIZES HAVE BEEN ANNOUNCED.

5. A PLAYER HAS THE RIGHT TO CALL A FREEZE, STOPPING THE GAME FULLY AND COMPLETELY, IN ORDER THAT THE CALLER'S BOARD MAY BE CHECKED.

6. PERSONS ASSISTING IN THE BINGO GAME SHALL NOT PLAY THE GAME OR ALLOW OTHER PERSONS TO PLAY THE GAME FOR THEM.

7. WHEN BINGO IS CALLED, THE CHECKER SHALL AUDIBLY CONFIRM THE NUMBERS ON THE CARD BEING CHECKED DURING THE CALL BACK.

8. IN ORDER TO DECLARE A WINNER OF THE GAME THE CALLER SHALL FIRST ENQUIRE CLEARLY AND AUDIBLY THREE TIMES OF THE PLAYERS WHETHER THERE ARE ANY OTHER WINNERS, AND AFTER VERIFICATION OF ALL CLAIMS OF BINGO SHALL DECLARE THE GAME CLOSED.

9. WHERE A "BINGO" IS CLAIMED AND IT IS FOUND DURING VERIFICATION THAT THERE IS NO WINNER, THE GAME SHALL BE RESUMED.

10. NO BINGO WINNER WILL BE RECOGNIZED AFTER THE GAME HAS BEEN DECLARED CLOSED.

11. NO LICENSEE MAY VARY THE LICENSED PRIZE MONEY FOR THE EVENT.

Bill No. H-5

The Corporation of the City of Hamilton

BY-LAW NO. 92-007

To Amend:

Various Licensing By-laws

Respecting:

FEES

WHEREAS By-law No. 76-32, as amended, was passed on the 27th day of January 1976, to provide for the licensing of body-rub parlours and for licence fees in respect thereof;

AND WHEREAS By-law No. 79-144, as amended, was passed on the 8th day of May 1979, to provide for the licensing of adult entertainment parlour owners, operators and attendants, and for licence fees in respect thereof;

AND WHEREAS By-law No. 79-323, as amended, was passed on the 22nd day of November 1979, to provide for the licensing of various trades, callings, occupations and persons engaged therein, and for licence fees in respect thereof;

AND WHEREAS By-law No. 84-71, as amended, was passed on the 27th day of March 1984, to provide for the licensing of sandblasters and building exterior cleaners, and for licence fees in respect thereof;

AND WHEREAS By-law No. 89-56, as amended, was passed on the 31st day of January 1989, amended By-law 79-323, to provide for the licensing of flea markets and for licence fees in respect thereof;

AND WHEREAS By-law No. 80-259, was passed on the 30th day of September, 1980, and was amended by By-law No. 81-93, By-law 84-245, By-law 87-272, and By-law 88-271, to provide for the licensing of second level lodging houses and for license fees in respect thereof;

AND WHEREAS By-laws No. 88-271, No. 89-347 and No. 90-318 were passed to amend By-law No. 76-32, By-law No. 79-144 and By-law No. 79-323, to provide for a revised schedule of licence fees for respectively, 1989, 1990 and 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the 21st day of November 1991, directed that Licensing By-law No. 79-323, Body Rub Parlours By-law No. 76-32, Second Level Lodging Houses By-law No. 80-259, and Adult Entertainment Parlours By-law No. 79-144, be further amended to increase licence fees for 1992.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. SCHEDULE 1 to By-law No. 76-32 as last amended by section 1 of By-law No. 90-318, is further amended by striking out the fees in column 2 and inserting in lieu thereof for each class of licence respectively referred to,

(a) in clauses 1(a) and 1(b), a corresponding fee in column 2 of $6,350.00; and

(b) in clauses 1(c) and 1(d), a corresponding fee in column 2 of $254.00.

2. SCHEDULE 1.00 to By-law No. 79-144, as last amended by section 2 of By-law No. 90-318, is further amended by striking out the fees in columns 2, 3, 4 and 5 and inserting in lieu thereof for each class of licence respectively referred to in column 1 as "F", "G", "H", "I", "J", "K",

(a) a corresponding fee in columns 2 and 3 of $3,812.00; and

(b) a corresponding fee in column 4 of $1,271.00; and

(c) a corresponding fee in column 5 of $191.00.

3. Paragraph 1 of section 7 of SCHEDULE 1 of By-law No. 79-323, as last amended by section 3 of By-law No. 90-318, is further amended by striking out "$69.00" at the end of paragraph 1 and inserting in lieu thereof "$72.00".

4. Paragraph 1 of section 2 of SCHEDULE 2 of By-law No. 79-323, as last amended by section 4 of By-law No. 90-318, is further amended by striking out "$18.00" at the end of the paragraph and inserting in lieu thereof "$19.00".

5. Paragraphs 1 and 2 of section 6 of SCHEDULE 3 of By-law No. 79-323, as last amended by section 5 of By-law No. 90-318, are each further amended by striking out "$35.00" at the end of paragraph 1 and "$23.00" at the end of paragraph 2 and respectively inserting in lieu thereof for,

(a) paragraph 1, "$37.00";

(b) paragraph 2, "$24.00".

6. Section 33 of SCHEDULE 4 of By-law No. 79-323, as last amended by subsection 6(1) of By-law No. 90-318, is further amended by striking out the fees referred to in each of the clauses 33(a), 33(b), 33(c), 33(d), 33(e), 33(f), 33(g), 33(h), 33(i), 33(j), 33(k), 33(l), 33(m), 33(n), and 33(o), and inserting in lieu thereof for,

(a) clause 33(a), $56.00;

(b) clause 33(b), $56.00;

(c) clause 33(c), $3,308.00;

(d) clause 33(d), $193.00;

(e) clause 33(e), $635.00;

(f) clause 33(f), $318.00;

(g) clause 33(g), $635.00;

(h) clause 33(h), $380.00;

(i) clause 33(i), $254.00;

(j) clause 33(j), $28.00;

(k) clause 33(k), $56.00;

(l) clause 33(l), $56.00;

(m) clause 33(m), $193.00;

(n) clause 33(n), $193.00;

(o) clause 33(o), $27.00.

7. (1) Clause (a) of paragraph 1 of section 10 of SCHEDULE 5 of By-law No. 79-323, as last amended by subsection 7(1) of By-law No. 90-318, is further amended by striking out "$18.00" at the end of the clause and inserting in lieu thereof "$19.00".

(2) Clauses (a), (b), (c) and (d) of paragraph 2 of section 10 of SCHEDULE 5 of By-law No. 79-323, as last amended by subsection 7(2) of By-law No. 90-318, are each further amended by striking out "$263.00" at the end of clause (a), and striking out "$63.00" at the end of each clauses (b), (c), and (d), and respectively inserting in lieu thereof for,

(a) clause (a), $276.00;

(b) clause (b), $66.00;

(c) clause (c), $66.00;

(d) clause (d), $66.00.

(3) Clauses (a), (b), (c) and (d) of paragraph 3 of section 10 of SCHEDULE 5 of By-law No. 79-323, as last amended by subsection 7(3) of By-law No. 90-318, are each further amended by striking out "$63.00" at the end of each of clauses (a), (b), (c) and (d) and respectively inserting in lieu thereof for,

(a) clause (a), $66.00;

(b) clause (b), $66.00;

(c) clause (c), $66.00;

(d) clause (d), $66.00.

8. Paragraph 1 of section 7 of SCHEDULE 6 of By-law No. 79-323, as last amended by section 8 of By-law No. 90-318, is further amended by striking out "$182.00" at the end of the paragraph and inserting in lieu thereof "$191.00".

9. Paragraph 2 of section 7 of SCHEDULE 7 of By-law No. 79-323, as last amended by section 9 of By-law No. 90-318, is further amended by striking out "$18.00" at the end of the paragraph and inserting in lieu thereof "$19.00".

10. Paragraph 1 of section 5 of SCHEDULE 13 of By-law No. 79-323, as amended by section 10 of By-law No. 90-318, is further amended by striking out "$151.00" at the end of clause (c) and "$41.00" at the end of clause (d) and respectively inserting in lieu thereof for,

(a) clause (c), $159.00;

(b) clause (d), $43.00.

11. (1) Clauses (a) and (b) of paragraph 1 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(1) of By-law No. 90-318, is further amended by striking out "$63.00" at the end of clause (a) and "$17.00" at the end of clause (b), and inserting in lieu thereof, for clause (a) "$66.00", and for clause (b) "$18.00".

(2) Clauses (a), (b), (d) and (e) of paragraph 2 of section 6 of SCHEDULE 15, as last amended by subsection 11(2) of By-law No. 90-318, are each further amended by striking out "$13.00" at the end of clause (a), "$35.00" at the end of clause (b), "$13.00" at the end of clause (d), and "$18.00" at the end of clause (e) and respectively inserting in lieu thereof for,

(a) clause (a), $14.00;

(b) clause (b), $37.00;

(c) clause (d), $14.00;

(d) clause (e), $19.00.

(3) Clause (c) of paragraph 2 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(3) of By-law No. 90-318, is further amended by striking out "$35.00" in the eighth line and substituting in lieu thereof "$37.00".

(4) Clause (b) of paragraph 3 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(4) of By-law No. 90-318, is further amended by striking out "$242.00" at the end of the clause and inserting in lieu thereof "$254.00".

(5) Paragraph 4 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(5) of By-law No. 90-318, is further amended by striking out "$242.00" at the end of the paragraph and inserting in lieu thereof "$254.00".

(6) Clauses (a) and (b) of paragraph 5 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(6) of By-law No. 90-318, is further amended by striking out "$51.00" at the end of clause (a) and inserting in lieu thereof "$54.00", and striking out "$6.00" at the end of clause (b) and inserting in lieu thereof "$7.00".

(7) Clauses (a) and (b) of paragraph 6(i) of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(7) of By-law No. 90-318, are each further amended by striking out "$148.00" at the end of clause (a) and "$37.00" at the end of clause (b) and inserting in lieu thereof for,

(a) clause (a), $156.00;

(b) clause (b), $39.00.

(8) Paragraph 6(ii) of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(8) of By-law No. 90-318, is further amended by striking out "$2,420.00" in the third line and inserting in lieu thereof "$2,541.00".

(9) Clauses (a), (b), (c) and (d) of paragraph 7 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(9) of By-law No. 90-318, are each further amended by striking out "$63.00" at the end of clause (a), "$122.00" at the end of clause (b), "$182.00" at the end of clause (c), "$242.00" at the end of clause (d) and respectively inserting in lieu thereof for,

(a) clause (a), $66.00;

(b) clause (b), $128.00;

(c) clause (c), $191.00;

(d) clause (d), $254.00.

(10) Clauses (a), (b), (c) and (d) of paragraph 9 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(10) of By-law No. 90-318, are each further amended by striking out "$63.00" at the end of clause (a), "$122.00" at the end of clause (b), "$182.00" at the end of clause (c) and "$242.00" at the end of clause (d) and respectively inserting in lieu thereof for,

(a) clause (a), $66.00;

(b) clause (b), $128.00;

(c) clause (c), $191.00;

(d) clause (d), $254.00.

(11) Paragraph 10 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(11) of By-law No. 90-318, is further amended by striking out "$242.00" at the end of the paragraph and inserting in lieu thereof "$254.00".

(12) Paragraph 11 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(12) of By-law No. 90-318, is further amended by striking out "$18.00" at the end of the paragraph and inserting in lieu thereof "$19.00".

(13) Clauses (a) and (b) of paragraph 12 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(13) of By-law No. 90-318, are each further amended by striking out "$18.00" at the end of clause (a) and "$35.00" at the end of clause (b), and respectively inserting in lieu thereof for,

(a) clause (a), $19.00;

(b) clause (b), $37.00.

(14) Paragraph 13 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(14) of By-law No. 90-318, is further amended by striking out "$18.00" at the end of the paragraph and inserting in lieu thereof "$19.00".

12. Clauses (a) and (b) of paragraph 1 of section 10 of SCHEDULE 16 of By-law No. 79-323, as last amended by section 12 of By-law No. 90-318 of By-law No. 90-318, are further amended by striking out "$98.00" at the end of clause (a) and "$98.00" at the end of clause (b) and respectively inserting in lieu thereof for,

(a) clause (a), $103.00;

(b) clause (b), $103.00.

13. (1) Paragraph 1 of section 3 of SCHEDULE 19 of By-law No. 79-323, as last amended by subsection 13(1) of By-law No. 90-318, is further amended by striking out "$28.00" at the end of the paragraph and inserting in lieu thereof "$29.00".

(2) Paragraph 2 of section 3 of SCHEDULE 19 of By-law No. 79-323, as last amended by subsection 13(2) of By-law No. 90-318, is

further amended by striking out "$605.00" at the end of the paragraph and inserting in lieu thereof "$635.00".

14. Paragraph 1 of section 6 of SCHEDULE 23 of By-law No. 79-323, as last amended by section 14 of By-law No. 90-318, is further amended by striking out "$28.00" at the end of the paragraph and inserting in lieu thereof "$29.00".

15. Paragraphs 1 and 2 of section 2 of SCHEDULE 25 of By-law No. 79-323, as last amended by section 15 of By-law No. 90-318, are each further amended by striking out "$41.00" at the end of paragraph 1 and "$23.00" at the end of paragraph 2 and respectively inserting in lieu thereof for,

(a) paragraph 1, $43.00;

(b) paragraph 2, $24.00.

16. Paragraphs 1 and 2 of section 3 of SCHEDULE 27 of By-law No. 79-323, as last amended by section 16 of By-law No. 90-318, are each further amended by striking out "$41.00" at the end of paragraph 1 and "$35.00" at the end of paragraph 2, and respectively inserting in lieu thereof for,

(a) paragraph 1, $43.00;

(b) paragraph 2, $37.00.

17. Paragraph 1 of section 19 of SCHEDULE 28 of By-law No. 79-323, as last amended by section 17 of By-law No. 90-318, is further amended by striking out "$133.00" at the end of the paragraph and inserting in lieu thereof "$140.00".

18. Paragraph 1 of section 3 of SCHEDULE 29 of By-law No 79-323, as last amended by section 18 of By-law No. 90-318, is further amended by striking out "$41.00" at the end of the paragraph and inserting in lieu thereof "$43.00".

19. Paragraph 1 of section 2 of SCHEDULE 31 of By-law No. 79-323, as last amended by section 19 of By-law No. 90-318, is further amended by striking out "$242.00" at the end of the paragraph and inserting in lieu thereof "$254.00".

20. Paragraphs 1, 2, 3, 4, 6 and 7 of section 10 of SCHEDULE 32 of By-law No. 79-323, as last amended by section 20 of By-law No. 90-318, are each further amended by striking out "$69.00" at the end of paragraph 1, "$35.00" at the end of paragraph 2, "$23.00" at the end of paragraphs 3 and 4, "$28.00" at the end of paragraphs 6 and 7 and respectively inserting in lieu thereof for,

(a) paragraph 1, $72.00;

(b) paragraph 2, $37.00;

(c) paragraph 3, $24.00;

(d) paragraph 4, $24.00;

(e) paragraph 6, $29.00;

(f) paragraph 7, $29.00.

21. Paragraph 1 of section 5 of SCHEDULE 42 of By-law No. 79-323, as last amended by section 21 of By-law No. 90-318, is further amended by striking out "$110.00" at the end of the paragraph, and inserting in lieu thereof "$116.00".

22. Clauses 1(a), 1(b), 1(c), and 2 of section 10 of SCHEDULE 43 of By-law No. 79-323, as last amended by section 22 of By-law No. 90-318, are each further amended by striking out the fees referred to in each of clauses 1(a), 1(b), 1(c) and 2 and inserting in lieu thereof for,

(a) clause 1(a), $605.00;

(b) clause 1(b), $1,210.00;

(c) clause 1(c), $1,814.00;

(d) clause 2, $61.00.

23. Paragraphs (i) and (ii) of subsection 2(2) of By-law 80-259, as last amended by section 23 of By-law No. 90-318, are each further amended by striking out the fees referred to in each of paragraphs (i) and (ii), and inserting in lieu thereof for,

(a) paragraph (i), $133.00;

(b) paragraph (ii), $266.00.

24. In all other respects, By-laws No. 76-32, 79-144, 79-323, 80-259, 84-71 and 89-56, as may have been otherwise previously amended, are hereby confirmed without change.

25. The increases in fees set out herein, apply to all licences issued or renewed for the year 1992, and in all other respects the fee increases apply on and from January 1st, 1992.

26. This by-law comes into force and effect on the date of enactment.

PASSED this *10th* **day of** *December* **A.D. 1991.**

Deputy **City Clerk** *Acting* **Mayor**

(1991)

Bill No. H-6

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW No. 92-008

To Amend

BY-LAW No. 78-224

Respecting

MEMBERSHIP IN THE CITY OF HAMILTON LICENSING COMMITTEE

WHEREAS By-Law No. 78-224, as amended, passed on the 25th day of July, 1978, in accordance with the City of Hamilton Act, 1978 (No. 1), Chapter 119, provided for the establishing of the City of Hamilton Licensing Committee, to be composed of five members;

AND WHEREAS the Council of The Corporation of the City of Hamilton, deems it expedient to appoint to the Licence Committee a member of Council in place of a retiring member;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-Law No. 78-224, as amended, is repealed, and the following is substituted therefor:

SCHEDULE 'A'

To By-Law No. 78-224

(Section 3)

Members of the City of Hamilton Licensing Committee

1. Alderman T. Cooke.
2. Alderman D. Drury.
3. Alderman D. Wilson.
4. Mr. Arthur James Child.
5. Mr. John R. Jones.

PASSED this 10th day of December ,1991.

Deputy City Clerk

Acting Mayor

Bill No. **H-7**

BY-LAW NO. 92 -*009*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF DECEMBER A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this *10th* day of *December* A.D. 1991

Deputy **CITY CLERK** *Acting* **MAYOR**

CERTIFIED A TRUE COPY

CITY CLERK

Bill No. A-1

The Corporation of the City of Hamilton

BY-LAW NO. *92-010*

To Amend:

By-law No. 86-77

Respecting:

SERVICE CLUB SIGNS ON HIGHWAYS

WHEREAS By-law No. 86-77 was enacted by the Council of The Corporation of the City of Hamilton on the 25th day of February 1986 to consolidate Streets By-law No. 9329;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 12 of the 15th Report of the Transport and Environment Committee authorized the preparation of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 86-77 is amended by repealing clause (b).

2. Section 1 of the said by-law is amended by repealing clause (ba) and replacing it with the following:

(ba) "Commissioner of Transportation/Environmental Services" means the Commissioner of Transportation/Environmental Services of The Regional Municipality of Hamilton-Wentworth;

3. Section 1 of the said by-law is amended by adding the following clause:

(dd) "Service Club" means a non-profit organization or association which has charitable or social objects;

4. Section 11 of the said by-law is amended by adding the following subsection:

(14) Service Club Signs. The Commissioner of Transportation/Environmental Services may issue a permit to allow the placing of service club signs upon the City highways. The location of the signs shall be acceptable to the Commissioner of Transportation/Environmental Services and to the Traffic Commissioner. The signs shall be constructed and installed by the City at the expense of the service club.

5. Section 17 of the said by-law is repealed and replaced by the following:

17. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the fine specified in section 62 of the Provincial Offences Act, R.S.O. 1980, Chapter 400, as amended.

PASSED this *14th* day of *January* A.D. 199*2*.

City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 15 R.T.E.C. 12, October 29

Bill No. A-2

THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW 92- *011*
TO REPEAL BY-LAW NO. 91-095

WHEREAS Section 193 of The Municipal Act. R.S.O. 1980, Chapter 302 states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purpose of the Corporation;

AND WHEREAS on March 14, 1989, The Corporation of the City of Hamilton, as an expropriating authority, pursuant to The Expropriations Act, R.S.O., 1980, Chapter 148, did authorize an application to the Council of The Corporation of the City of Hamilton as approving authority, for approval of the expropriation of the lands described in paragraph 2 below;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-095 on the 14th day of May, 1991, to expropriate the lands described in paragraph 2 below, for roadway and municipal purposes pursuant to Section 193 of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 9th Report of the Transport and Environment Committee on June 25, 1991, approved an Offer to Purchase the lands described in paragraph 2 below;

AND WHEREAS it is desirable to cancel proceedings under The Expropriations Act, R.S.O. 1980, Chapter 148, and more particularly the By-law No. 91-095 passed to approve the Application to expropriate the lands described below in paragraph 2;

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 91-095 is hereby repealed.

2. The real property referred to herein is the lands described as Part of Lot 14, Registered Plan 695, designated as Parts 1 and 2 on Plan 62R-10580, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario.

PASSED this *14th* day of January, 1992.

ROBERT M. MORROW - Mayor

J. J. SCHATZ - City Clerk

Bill No. A-3

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. *92-012*

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approx. 99m easterly.

2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of $11,900.00 to be financed from the 1991 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 6 of the 15th Report of the Transport & Environment Committee and Item 16 of the 19th Report of the Finance & Administration Committee on October 29, 1991;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approx. 99m easterly may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed $11,900.00, which cost shall be financed from the 1991 Capital Levy.

2. The Director of Public Works is hereby authorized to supervise construction of the works.

3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this *14th* day of *January* , A.D. 199*2*.

City Clerk

Mayor

(1991) 15 R.T.E.C. 6, October 29
(1991) 19 R.F.A.C. 16, October 29

Bill No. A-4

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. *92-013*

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks on both sides of UPPER OTTAWA STREET between Stone Church Road and Rymal Road, as described in Schedule "A";

2. The special assessment to pay a portion of the cost of the works by the abutting owners;

3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the 8th Report of the Transport & Environment Committee on May 14, 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the 10th Report of the Finance & Administration Committee on May 14, 1991;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 4th day of October, 1991, issue Order No. E911233 approving the application of The Corporation of the City of Hamilton for:

(a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of $175,910.00 and,

(b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of $88,336.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed $175,910.00.

2. The share or portion of the estimated cost of the works in the amount of $88,336.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.

3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:

   (a) to the extent sufficient to provide an amount not exceeding $88,336.00;

   (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this *14th* day of *January* , A.D. 199*2*.

City Clerk

Mayor

(1991) 8 R.T.E.C. 7, May 14
(1991) 10 R.F.A.C. 7, May 14

SCHEDULE "A"

The construction of concrete sidewalk on both sides of UPPER OTTAWA STREET between Stone Church Road and Rymal Road at the costs not exceeding those set out below:

City's Share	$ 87,574.00
Owners' Share	88,336.00
TOTAL ESTIMATED COST	$175,910.00
Estimated Cost per metre frontage	$ 86.00

Fifteen (15) annual instalments

Bill No. A-5

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. *92-014*

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on Stone Church Road West:
- n/s, Upper Paradise Road to 120m easterly;
- s/s, Upper Paradise Road to 48m easterly; and
- s/s, 193m east of Upper Paradise Road to 38m easterly, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 7th day of September, 1988 (File No. E881218) approved,

(a) the construction of concrete sidewalks on Stone Church Road West, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $24,500.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $24,500.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 88-257, passed on the 8th day of November, 1988, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 7th day of September, 1988;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E881218) approved,

(c) an additional expenditure of $9,230.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 7th day of September, 1988, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $33,730.00, in accordance with the Ontario Municipal Board Order dated the 7th day of September, 1988, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $14,791.60 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

4. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this *14th* day of *January* A.D. 19*92*.

City Clerk

Mayor

(1988) 14 R.E.C. 5, June 28

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on Stone Church Road West:

- n/s, Upper Paradise Road to 120m easterly;
- s/s, Upper Paradise to 48m easterly;
- s/s, 193m east of Upper Paradise Road to 38m easterly,

at the costs not exceeding those set out below:

City's Share	$18,938.40
Owner's Share	14,791.60
TOTAL ESTIMATED COST	$33,730.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

Bill No. A-6

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-015

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 13th day of February, 1989 (File No. E890087) approved,

(a) the construction of concrete sidewalks on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $55,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $55,000.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 89-98, passed on the 28th day of March, 1989, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 13th day of February, 1989;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E890087) approved,

(c) an additional expenditure of $5,110.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 13th day of February, 1989, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $60,110.00, in accordance with the Ontario Municipal Board Order dated the 13th day of February, 1989, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $18,171.20 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

3. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

4. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this *14th* day of *January* A.D. 19*92*.

City Clerk

Mayor

(1989) 1 R.C.C. 3, December 13, 1988

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue at the costs not exceeding those set out below:

City's Share	$41,938.80
Owner's Share	18,171.20
TOTAL ESTIMATED COST	$60,110.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

Bill No. A-7

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-016

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on the south side of Mohawk Road West from Upper Horning Road to the west City limits, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 20th day of April, 1988 (File No. E880126) approved,

(a) the construction of concrete sidewalks on the south side of Mohawk Road West from Upper Horning Road to the west City limits, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $5,500.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $5,500.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 88-148, passed on the 29th day of June, 1988, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 20th day of April, 1988;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E880126) approved,

(c) an additional expenditure of $8,410.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 20th day of April, 1988, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $13,910.00, in accordance with the Ontario Municipal Board Order dated the 20th day of April, 1988, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $2,399.36 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

3. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

4. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this *14th* day of *January* A.D. 19*92*.

City Clerk

Mayor

(1987) 24 R.E.C 2, December 8

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on the south side of Mohawk Road West from Upper Horning Road to west City limits at the costs not exceeding those set out below:

City's Share	$11,510.64
Owner's Share	2,399.36
TOTAL ESTIMATED COST	$13,910.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

Bill No. A-8

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-017

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete sidewalks on the south side of Barton Street from Kenora Avenue to Centennial Parkway, as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 7th day of March, 1990 (File No. E900186) approved,

(a) the construction of concrete sidewalks on the south side of Barton Street from Kenora Avenue to Centennial Parkway, as a local improvement, pursuant to s. 12 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of $64,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and

(b) the issuance of the necessary debentures to a maximum of $64,000.00 for a term not to exceed twenty (20) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 90-122, passed on the 8th day of May, 1990, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 8th day of May, 1990;

AND WHEREAS the Ontario Municipal Board, by Order dated the 21st day of October, 1991, (File No. E900186) approved,

(c) an additional expenditure of $5,960.00 covering an additional estimated costs of this amount,

(d) an amendment to the said previous Order of the Board dated the 8th day of May, 1990, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed $69,960.00, in accordance with the Ontario Municipal Board Order dated the 8th day of May, 1990, as amended by Order of the Ontario Municipal Board dated the 21st day of October, 1991.

2. The share or portion of the estimated cost of the works in the amount of $30,622.40 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots

abutting directly on the works and payable in equal annual instalments until fully paid.

3. The Commissioner of Regional Engineering is hereby authorized to:

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and

   (b) supervise construction of the works.

4. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this *14th* day of *January* A.D. 1992.

City Clerk

Mayor

(1990) 1 R.F.A.C. 23, January 30

SCHEDULE "A"

The construction of CONCRETE SIDEWALKS on the south side of Barton Street from Kenora Avenue to Centennial Parkway at the costs not exceeding those set out below:

City's Share	$39,337.60
Owner's Share	30,622.40
TOTAL ESTIMATED COST	$69,960.00
Estimated Cost per metre frontage	$84.00

Fifteen (15) annual instalments

Bill No. A- 9

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92- *018*

TO INCORPORATE PARTS 1,2 and 4, PLAN 62R-11658 AND PART 1, PLAN 62R-11755 INTO ANNABELLE STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Annabelle Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Annabelle Street.

Part of Lots 17 to 25 (both inclusive), Registered Plan No. 823 and part of Lots 9,10,11 and 12, Registered Plan No. 947, designated as Parts 1,2 and 4 on Plan 62R-11658 and part of Lot 16, Registered Plan No. 823, designated as Part 1 on Plan 62R-11755.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this *14th* day of *January* A.D. 199*2*.

J. J. Schatz
City Clerk

R. Morrow
Mayor

Bill No. A-10

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92- *019*

TO INCORPORATE PART 3, PLAN 62R-9530 INTO ELMORE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elmore Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elmore Drive.

Part of Parcel 1' Reserves -1
Section M-279

Being part of Block "F", Plan 62M-279, designated as Part 3, Plan 62R-9530

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this *14th* day of *January* A.D. 199*2*.

J. J. Schatz
City Clerk

R. Morrow
Mayor

BY-LAW NO. 92 - *020*

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Tyrone	Eastbound	Hawkridge
Glen Echo	Northbound and Southbound	Secord
Bendamere	Eastbound and Westbound	West 27th
Bendamere	Eastbound and Westbound	West 23rd
Rouge Hill	Northbound	Congress
Pottruff	Northbound and Southbound	Eugene
Dunsmure	Eastbound and Westbound	Glendale
Greenshire	Northbound	Cranbrook
Wendover	Northbound and Southbound	Hadeland
Appleford	Eastbound and Westbound	Wendover
Bingham	Northbound and Southbound	Ayr
Armstrong	Northbound	Glengrove
Glengrove	Eastbound	Armstrong/Oriole
Glendale	Northbound and Southbound	Roxborough (north leg)".

and by deleting therefrom the following items, namely:-

"Wendover	Northbound and Southbound	Appleford
Glendale	Northbound and Southbound	Dunsmure
West 23rd	Northbound and Southbound	Bendamere".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Emerald	West	Hunter to 117 feet north	Anytime
Toby	South	Grenadier to 70 feet west	Anytime
Vansitmart	North	Division to 74 feet east	Anytime
Highridge	East	Swan to 59 feet north	Anytime
Highridge	East	Swan to 69 feet south	Anytime
Maplewood	North	Balsam to 46 feet west	Anytime".

and by deleting therefrom the following item, namely:-

"Maplewood	North	Balsam to 66 feet west	Anytime".

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Glen Echo	West	102 feet	commencing 106 feet north of north curb line of the south leg of Loyalist	7:00 a.m. to 6:00 p.m. Monday to Saturday
Bobolink	South	120 feet	commencing at a point 40 feet east of Meadowlark	7:00 a.m. to 6:00 p.m. Monday to Saturday".

and by deleting therefrom the following items, namely:-

"Bobolink	South	80 feet	commencing at a point 40 feet east of Meadowlark	7:00 a.m. to 6:00 p.m. Monday to Saturday".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"East 38th	West	25 feet	365 feet south of Fennell	7:00 a.m. to 6:00 p.m. Monday to Saturday
Normanhurst	West	28 feet	307 feet north of Dunsmure	Anytime".

and by deleting therefrom the following items, namely:-

"East 38th	West	25 feet	295 feet south of Fennell	7:00 a.m. to 6:00 p.m. Monday to Saturday
Gertrude	North	26 ft.	615 feet west of Depew	8:00 a.m. to 6:00 p.m. Monday to Friday".

PASSED THIS *14th* DAY OF *January* , A.D. 19*92*

CITY CLERK

MAYOR

CERTIFIED A TRUE COPY

CITY CLERK

BY-LAW NO. 92 - *021*

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway Bus Stops)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:-

a) by adding to the Inbound Column the following items, namely:-

"Greenhill, 377 feet east of the east curb line of Mount Albion (MB)
Quigley, 233 feet north of the north curb line of Greenhill (FS)".

b) by adding to the Outbound Column the following item, namely:-

"Greenhill, 194 feet east of the east curb line of Mount Albion (MB)".

2. **Schedule 25 (Parking Time Limits)** is hereby amended:

a) by adding to **Section 7 (Three Hour Limit)** the following item, namely:-

"Biggar	South	From 500 ft. east of Sherman to 530 feet west of Lottridge".

and by deleting therefrom the following item, namely:-

"Biggar	South	From 500 ft. east of Sherman to 500 feet west of Lottridge".

b) by adding to **Section 14 (One Hour Limit)** the following item, namely:-

"West	Both	Evans to Cannon".

3. **Schedule 25A (Parking Time Limits)** is hereby amended:

a) by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Emerald	Both	Main to Hunter".

and by adding thereto the following items, namely:-

"Auchmar	Both	Fennell to Garth
East	Both	Barton to Birge".

b) by adding to **Section 14 (One Hour Limit)** the following item, namely:-

"West 2nd	Both	McElroy to Wembley".

c) by adding to **Section 8 (Two Hour Limit)** the following item, namely:-

"Arkell	South	Newton to Paisley".

d) by deleting from **Section 7 (Three Hour Limit)** the following item, namely:-

"East Ave.	Both	Barton to Birge".

4. **Schedule 25B (Parking Time Limits)** is hereby amended:

a) by deleting from **Section 4 (One Hour Limit)** the following item, namely:-

"West	Both	Evans to Cannon".

and by adding thereto the following item, namely:-

"Emerald	West	Main to Hunter".

b) by adding to **Section 2 (Two Hour Limit)** the following items, namely:-

"Regency	West	Mohawk to Summerlea
Napier	South	Queen to Ray".

5. **Schedule 26 (No Parking Areas)** is hereby amended:

a) by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Emerson	West	commencing at a point 85 feet north of Holmes to a point 27 feet northerly therefrom
Tyrone (west leg)	East	south leg of Tyrone to 91 feet northerly
Tyrone (south leg)	North	west leg of Tyrone to 67 feet easterly
Lorraine	West	Reno to Larch
Emerald	East	Main to Hunter
Dubarry	South	Currie to Lorraine
East 22nd	West	commencing at a point 69 feet south of Concession to a point 40 feet southerly therefrom
Margate	North	Princeton to 98 feet east
Greenaway	West	Cannon to Wilson".

and by deleting therefrom the following items, namely:-

"Glen Echo	West	commencing at a point 370 feet north of Rainbow to a point 100 feet northerly therefrom
Napier	South	Queen to 350 ft. westerly
Millen	West	Brucedale to Empress".

6. **Schedule 26A (No Parking Areas)** is hereby amended by adding to **Section I (No Parking 8:00 a.m. to 6:00 p.m.)** the following item, namely:-

"Elmwood	South	Upper Paradise to the westerly end".

7. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"Millen Empress to Brucedale	West	East
Dallas East 37th to the west end	North	South".

and by deleting therefrom the following item, namely:-

"Greenaway Avenue Wilson Street to Cannon Street East	East	West".

8. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"San Remo	West	commencing at a point 98 feet south of San Francisco to a point 20 feet southerly therefrom
Tisdale	West	commencing at a point 77 feet north of King William to a point 20 feet northerly therefrom

Tisdale	East	commencing at a point 38 feet north of King William to a point 20 feet northerly therefrom".

and by deleting therefrom the following items, namely:-

"Millen	East	Brucedale to Empress	Anytime
Magill	West	345 feet north of York to 20 feet northerly therefrom	Anytime".

PASSED THIS *14th* DAY OF *January* , A.D. 19*92*.

CITY CLERK

MAYOR

CERTIFIED A TRUE COPY

CITY CLERK

Bill No. C-3

The Corporation of the City of Hamilton

BY-LAW NO. 92-022

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 27 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-9D and W-9E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

   (a) by changing from **"C"** (Urban Protected Residential, etc.) District to **"HH"** (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"HH"** (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,

   (a) a landscaped planting strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly rear lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1185a.

5. Sheets No. W-9D and W-9E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1185a.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

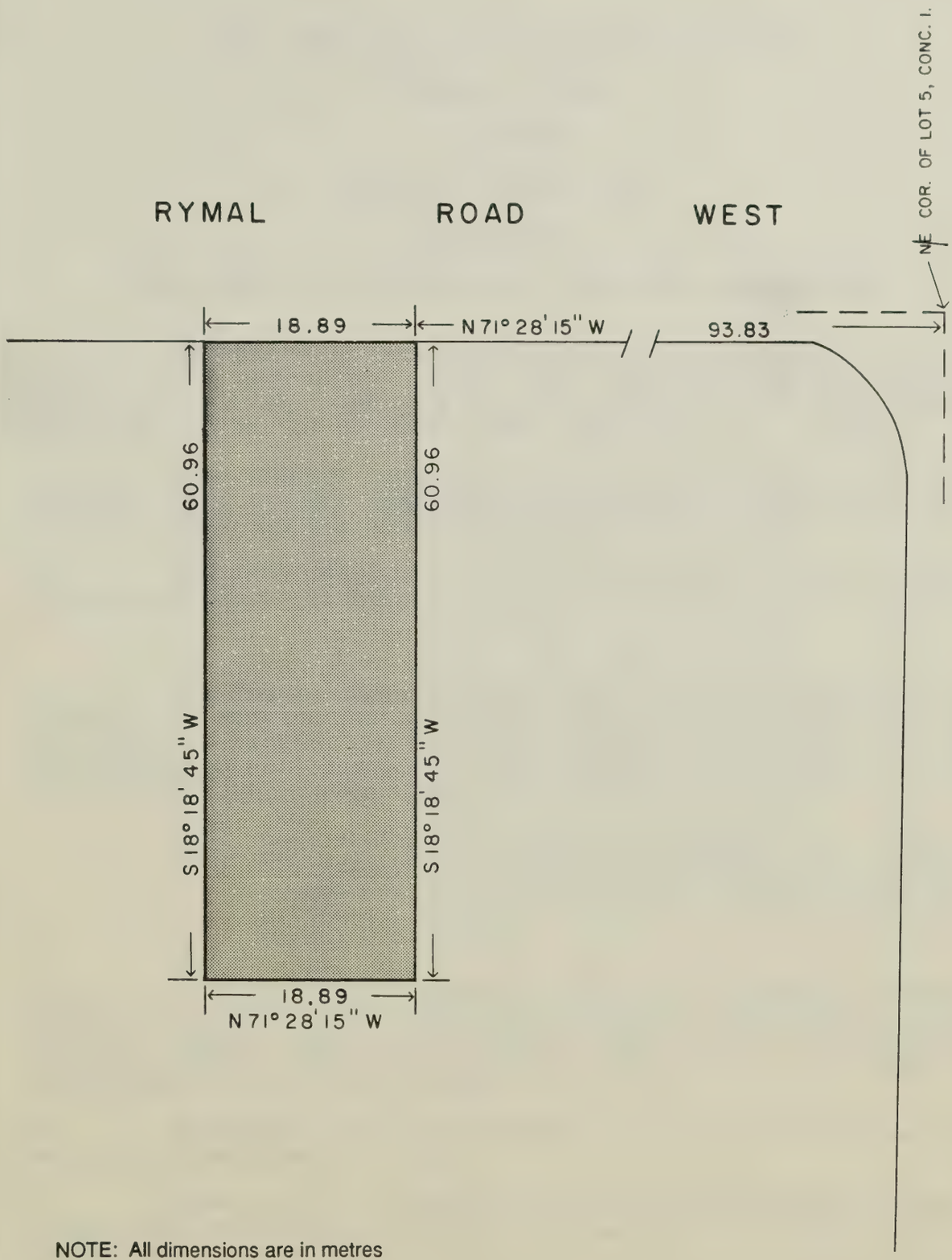
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 14 R.P.D.C. 10, October 8
Christopher Pies Inc. Prospective Owner
ZA-91-46



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-022
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-022

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-46
	Date	Drawn By
	OCTOBER, 1991	P.B.

Bill No. C-4

The Corporation of the City of Hamilton

BY-LAW NO. 92-023

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 234 MacNAB STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"DE-3"** (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 10C of By-law No. 6593, a two-family dwelling and a lodging house for the accommodation of not more than 9 lodgers, with two kitchens, shall be permitted only within the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1248.

4. Sheets No. W-5 and W-6 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1248.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

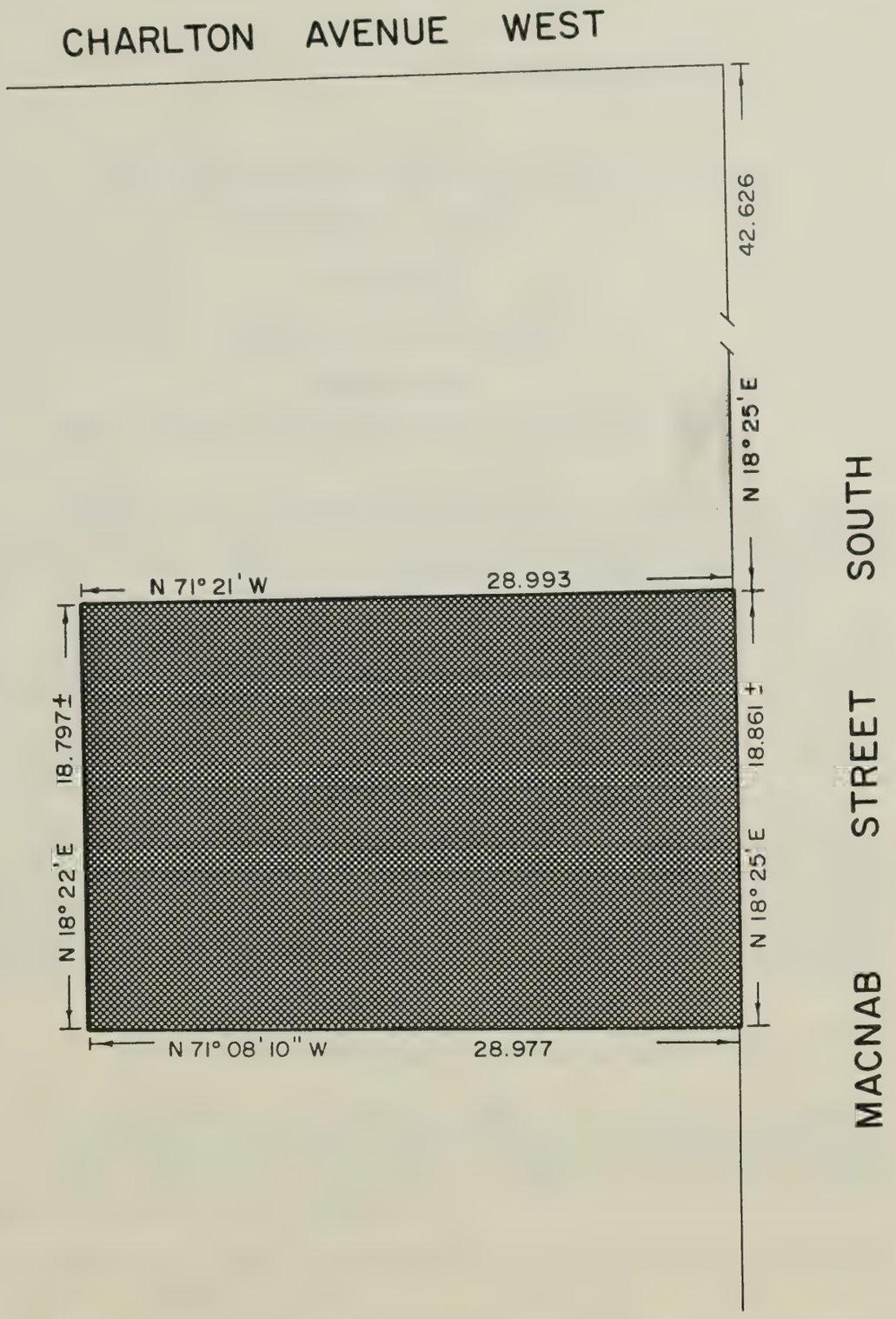
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 14 R.P.D.C. 6, October 8
Shirley T. Young, Owner
Amended ZA-91-36



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-023
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-023

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 92-023

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-36
	Date	Drawn By
	OCTOBER, 1991	T.A.

Bill No. C- 5

The Corporation of the City of Hamilton

BY-LAW NO. 92-024

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 49 HOLLY AVENUE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"D"** (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

   (a) notwithstanding Section 10 of By-law No. 6593, a two-family dwelling shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1250.

4. Sheet No. E-52 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1250.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

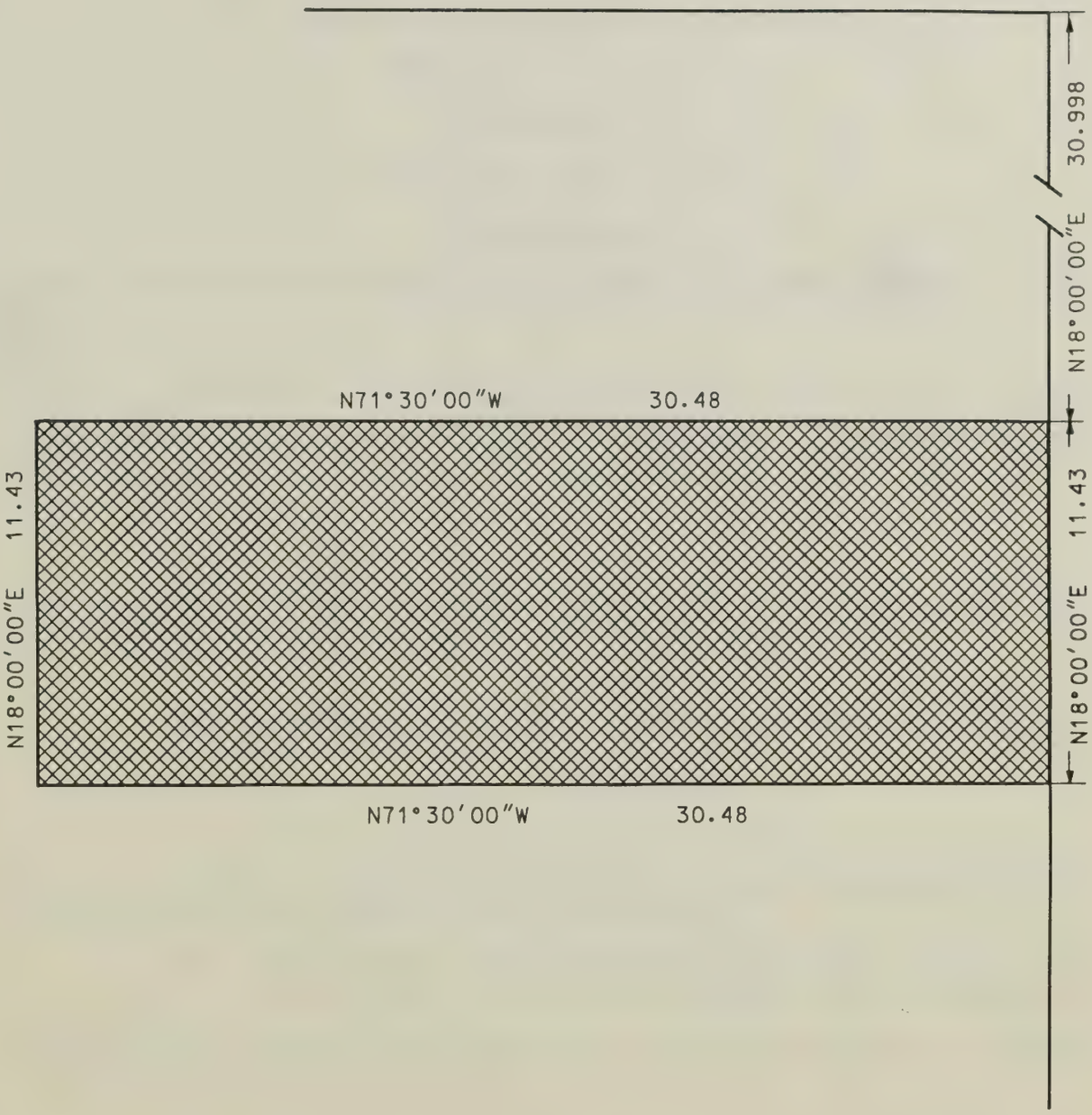
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 14 R.P.D.C. 11, October 8
Antonette Biggs, Owner
ZA-90-74



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-024.
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-024
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated
by By-Law No. 92-024

North	Scale	Reference File No.
	NOT TO SCALE	ZA90-74
	Date	Drawn By
	OCTOBER, 1991	T.A.

Bill No. C- 6

The Corporation of the City of Hamilton

BY-LAW NO. 92- 025

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 1062 AND 1088 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"AA"** (Agricultural) District to **"C"** (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

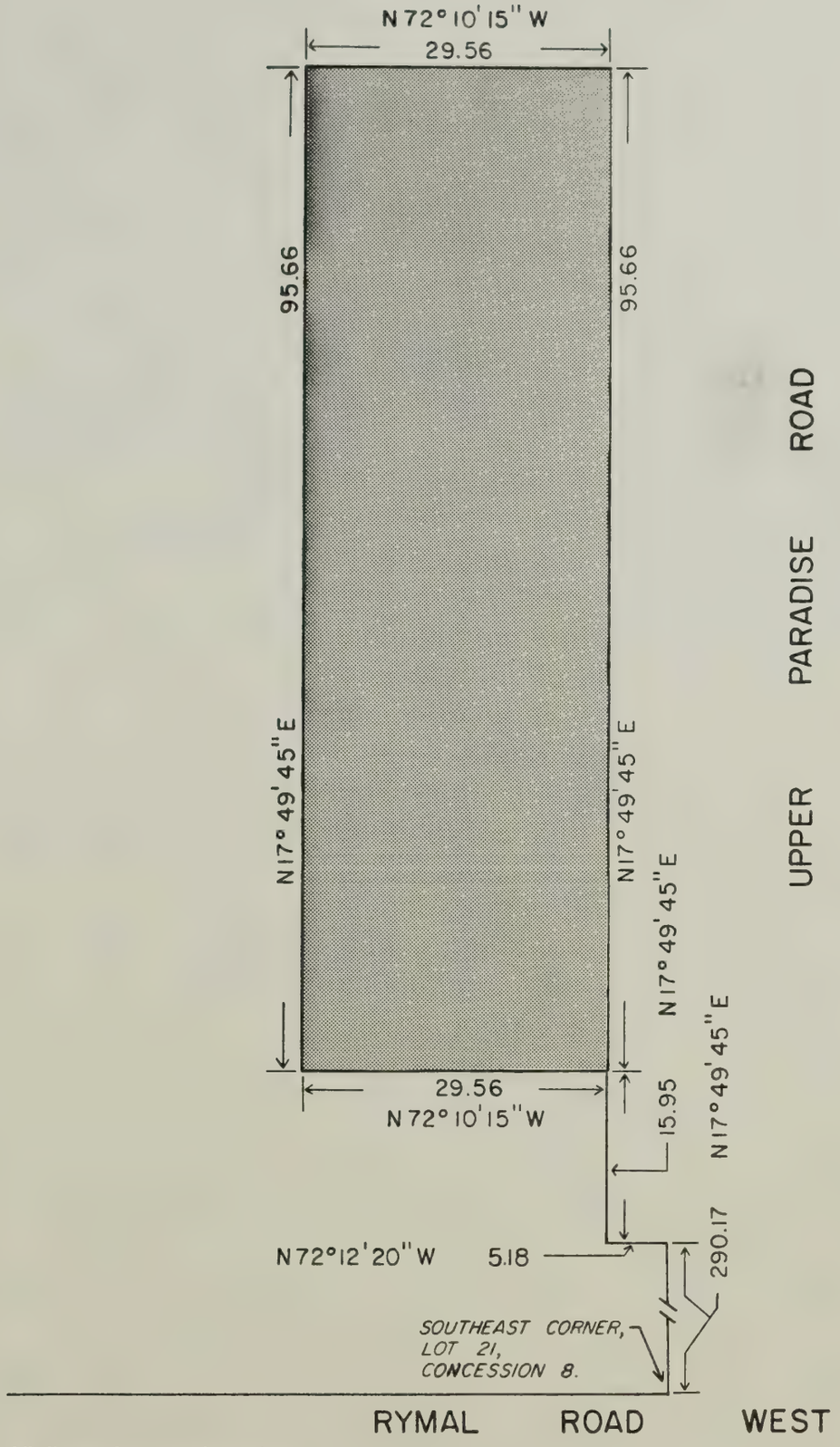
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 14 R.P.D.C. 9, October 8
James and Mary Miklos, Owners
ZA-91-45



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-025.
Passed the ....14th. day of ....January..... ,1992.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-025

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"AA"(Agricultural) District to "C"(Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-45
	Date	Drawn By
	OCTOBER, 1991	P.B.

Bill No. C- 7

The Corporation of the City of Hamilton

BY-LAW NO. 92-026

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF THE PROPOSED EXTENSION OF UPPER WENTWORTH STREET, IN THE AREA SOUTH OF RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"RT-10"** (Townhouse) District to **"RT-20"** (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"RT-20"** (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

   (a) notwithstanding Section 10E(2)(a)3. of By-law No. 6593, street townhouses shall be prohibited fronting onto the proposed extension of Upper Wentworth Street.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1252.

5. Sheet No. E-27E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1252.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

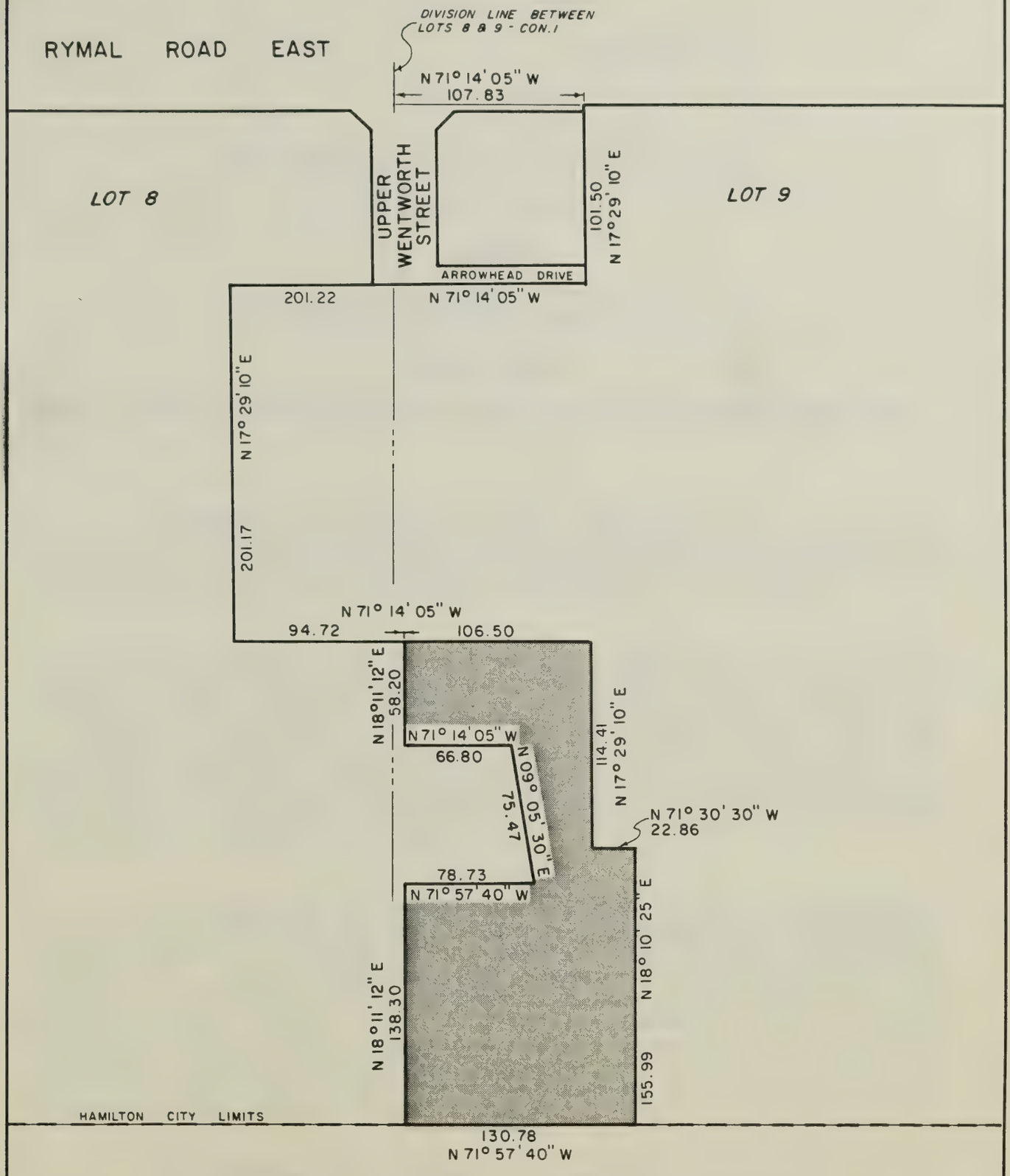
PASSED this *14th* day of *January* A.D. 1992.

CERTIFIED A TRUE COPY

City Clerk

Mayor

(1991) 15 R.P.D.C. 20, October 29
Rymal Gardens Inc., Owner
ZA-91-48



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-026
Passed the 14th day of January, 1992

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-026

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"RT-10" (Townhouse) District to
"RT-20" (Townhouse - Maisonette) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 91-48
	Date	Drawn By
	NOVEMBER, 1991	L.B.

Bill No. C-8

The Corporation of the City of Hamilton

BY-LAW NO. 92- *027*

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 91-128

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 837, 845 and 867 RYMAL ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-128 on the 25th day of June 1991 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "RT-20" District and "HH" District, in respect of the land located at Municipal Nos. 837, 845 and 867 Rymal Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 10 of the 15th Report of the Planning and Development Committee at its meeting held on the 29th day of October 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 91-128, be further amended to delete Schedule "A" to By-law No. 91-128 and replace it with a revised Schedule "A" to correct technical errors in the dimensions for the front and rear lot lines of Block 2 and the westerly side lot line of Block 4, in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 91-128 is hereby revoked and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.

2. In all other respects, By-law No. 91-128 is hereby confirmed, unchanged.

3. By-law No. 6593 is amended by adding this by-law to Section 19B as S-1226a.

4. Sheets No. E-38D and E-38E of the District Maps are amended by marking the land referred to in section 1. (a), (b) and (c) of By-law No. 91-128, S-1226a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

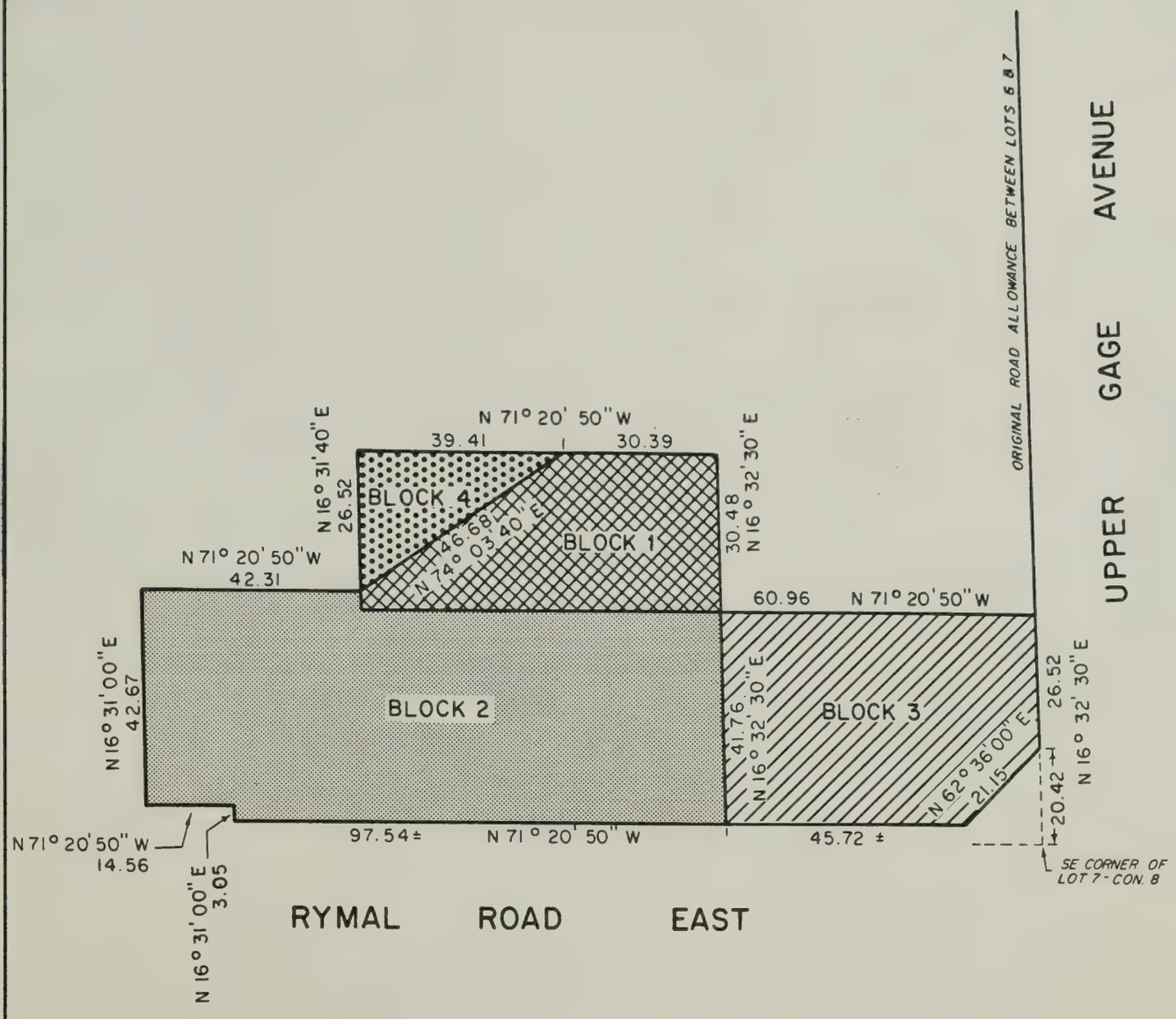
City Clerk Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 7 R.P.D.C. 10, April 30
(1991) 15 R.P.D.C. 10, October 29
Jerome Calzonetti, Owner
Amended ZA-90-32

REVISED SCHEDULE "A" TO BY-LAW Nº 91-128



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-027
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-027....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
Changes in zoning from:

BLOCK 1	"AA" (Agricultural) Distrct to "RT-20" (Townhouse-Maisonette) District, Modified.
BLOCK 2	"C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District, Modified
BLOCK 3	"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, Modified.
BLOCK 4	"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 90-32
	Date	Drawn By
	SEPTEMBER, 1991	L.B.

Bill No. C-9

The Corporation of the City of Hamilton

BY-LAW NO. 92-028

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1100 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-59A and E-59B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

   (a) by changing from **"RT-10"** (Townhouse) District to **"DE"** (Low Density Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"DE"** (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

   (a) notwithstanding Section 10A of By-law No. 6593, only a multiple dwelling containing not more than 57 Senior Citizens' Dwelling Units shall be permitted;

   (b) for the purpose of this by-law, a Senior Citizens' Dwelling Unit shall mean a separate set of living quarters, operated by a non-profit housing corporation which receives assistance under the National Housing Act or other non-profit housing programs, for qualifying senior citizens, and which shall include at least one room and separate kitchen and sanitary conveniences with a private entrance outside or from a common hallway or stairway inside;

   (c) notwithstanding Section 10A(2) of By-law No. 6593, a maximum height of not more than four storeys shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1251.

5. Sheets No. E-59A and E-59B of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1251.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 199 2.

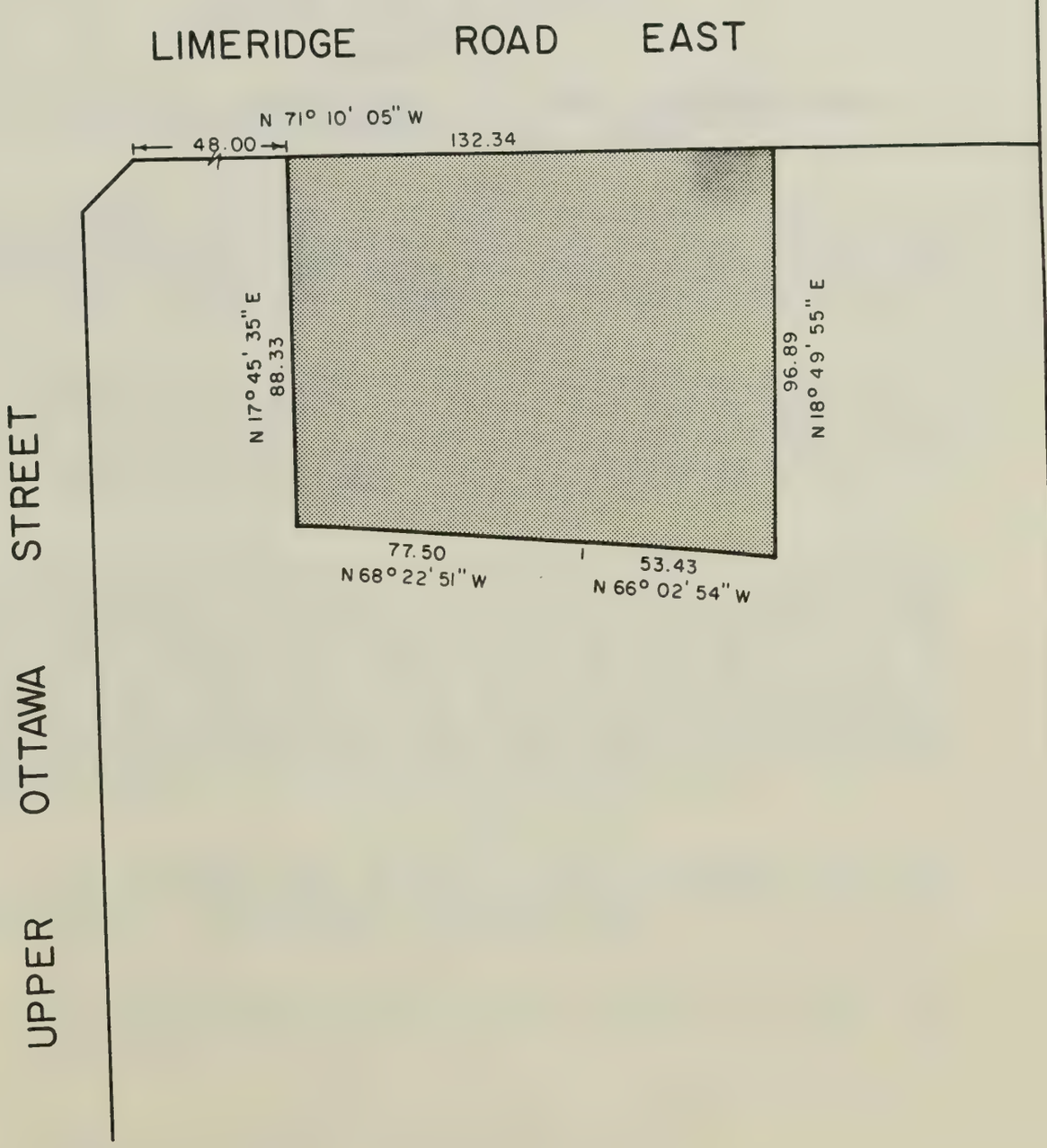
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 15 R.P.D.C. 18, October 29
City Initiative 91-F



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-028
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-028

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"RT-10" (Townhouse) District to "DE"
(Low Density Multiple Dwellings) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	CI 91-F
	Date	Drawn By
	OCTOBER, 1991	L.B.

Bill No. C- 10

The Corporation of the City of Hamilton

BY-LAW NO. 92-029

To Repeal:

Zoning By-law No. 91-144

Respecting:

LAND LOCATED AT MUNICIPAL NO. 402 UPPER WENTWORTH STREET (FORMERLY INVERNESS PUBLIC SCHOOL)

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-144 on the 30th day of July 1991 to change the zoning in respect of the land located at Municipal No. 402 Upper Wentworth Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 15 of the 15th Report of the Planning and Development Committee at its meeting held on the 29th day of October 1991, recommended that Zoning By-law No. 91-144 be repealed, to return the site to the original **"C"** (Urban Protected Residential, etc.) District and **"D"** (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District zonings respectively, in order that the City may proceed with its development plans;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 91-144 is hereby repealed.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 199 2.

City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 15 R.P.D.C. 15, October 29
City of Hamilton, Owner
City Initiative 91-C

Bill No. C-11

The Corporation of the City of Hamilton

BY-LAW NO. 92- *030*

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA NORTH OF RYMAL ROAD EAST AND EAST OF THE HYDRO RIGHT-OF-WAY

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS the special conditions relating to this rezoning, referred to in Section 18(C) of the 12th Report of the Planning and Development Committee adopted by City Council on the 27th day of August 1991, have been satisfied;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"C"** (Urban Protected Residential, etc.) District to **"RT-20"** (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The **"RT-20"** (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

   (a) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire northerly lot line;

   (b) a landscaped planting strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly and westerly side lot lines of the subject lands which adjoin the residential property municipally known as No. 557 Rymal Road East.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1240.

5. Sheet No. E-27D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1240.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

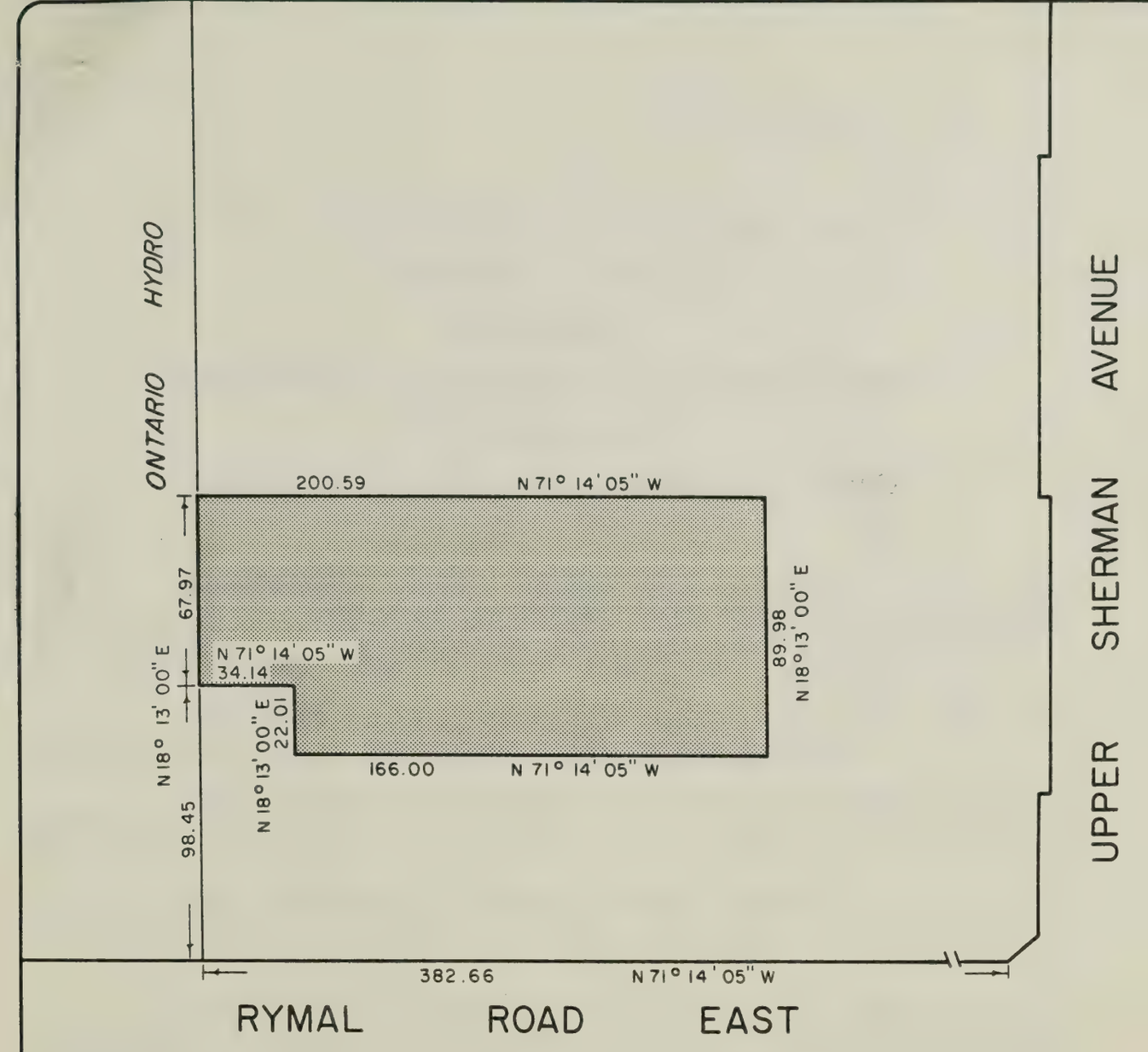
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 12 R.P.D.C. 18, August 27
Rymal Square Developments, Inc., Owner
Amended ZA-90-96



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-030
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-030

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:

"C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District, Modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 90-96
	Date	Drawn By
	SEPTEMBER, 1991	L.B.

Bill No. C- 12

The Corporation of the City of Hamilton

BY-LAW NO. 92-*031*

To Designate:

LAND LOCATED AT MUNICIPAL NO. 235 BOWMAN STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 235 Bowman Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

   (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;

   (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this *14th* day of *January* A.D. 1992.

City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 13 R.P.D.C. 8, September 24

Schedule "A"

To

By-law No. 92-031

235 Bowman Street, Hamilton, Ontario

Lot 37, Registrar's Compiled Plan 1482, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

Schedule "B"

to

By-law No. 92-031

REASONS FOR DESIGNATION

FORMER PRINCESS ELIZABETH SCHOOL, 235 BOWMAN STREET

Context:

The former Princess Elizabeth School at 235 Bowman Street, now the Irving Zucker College of Jewish Studies, is located on the eastern edge of the residential area of West Hamilton, near the foot of the escarpment. Set well back from the street on its original 3-acre piece of property, this distinctive early 20th century school building is surrounded by open space attractively landscaped with grass, shrubbery and mature trees. The school and its setting are enhanced by a panoramic view of the escarpment to the south and south-east.

Architectural Significance:

The present school building comprises the original West Hamilton School erected in 1922, a one-storey, brick-clad, steel and reinforced concrete structure with four classrooms built around a central auditorium, and the second storey built in 1930 to provide five additional classrooms. The original school and the later addition were designed respectively by the partnership of Warren & McDonnell and F.W. Warren. Considered to be specialists in school design, these two architects were responsible for designing a number of schools in the Hamilton area and throughout the province. Princess Elizabeth was among their most architecturally distinguished commissions, which also included the W.H. Ballard School in Hamilton's east end, reputedly "the largest public school in Canada" when it opened in 1923, and the Elizabeth Zeigler School in Waterloo, opened in 1931.

Ranking among Hamilton's finest early 20th century school buildings, Princess Elizabeth is one of several outstanding examples of the Collegiate Gothic style. Characteristic of this style is the emphasis on horizontal lines (accentuated in Princess Elizabeth School by its low profile and stone banding) and the prominent central entrance with a Tudor-arched doorway and carved stone Gothic detailing. Of particular architectural interest is the unusual turreted frontispiece of the second storey addition, which is crowned by a crest displaying the symbol of learning: an open book.

The school building's obvious appeal to children stems from its inviting scale, the fanciful quality of its architectural detail, and the natural light and views provided by the large multi-paned classroom windows reaching almost to the floor. The architectural integrity of the exterior is remarkable: except for minor alterations to the two side entrances and the replacement of the original carved stone West Hamilton School sign, the three main facades (north, south and west), including the original front entrance doorway and the windows, have been preserved intact.

Princess Elizabeth was one of relatively few early 20th century public schools in Ontario planned with the classrooms located around a central auditorium lit from above, a feature of only two other Hamilton schools: Memorial and W.H. Ballard. The original auditorium, a spacious two-storey multi-purpose hall designed to accommodate assemblies, indoor sports and athletics, concerts and lectures, and various other school and community activities, had an impressive interior space illuminated by a large central skylight. The coved ceiling still features the original grid of twenty amber glass panels, which diffuses natural or artificial light from above. The auditorium space was modified in 1930 by the addition of the second storey classrooms and corridor forming an open cantilevered balcony around three sides, and was further altered in 1971 by the enclosure of this balcony by a solid partition wall with small windows and the consequent obscuring from view of the ceiling cornice at the ground floor level.

Historical Significance:

Built to accommodate children from the thriving Village of West Hamilton, the original West Hamilton School was commissioned by the Wentworth County Board in response to ratepayers' demands for a new facility to relieve the overcrowding at Binkley, the only public school then serving a large area encompassing the village. Following the annexation of the village by the City of Hamilton in 1930, the West Hamilton School (then under the jurisdiction of the Hamilton Board of Education) was doubled in size. Renamed Princess Elizabeth School in 1940, the building served as a public school until 1983, when its pupils were all transferred to Prince Philip School on Rifle Range Road. Leased for seven years to the Wentworth Montessori School, the building was purchased in 1991 by the Hamilton Hebrew Academy for use as a seminary.

Designated Features:

Important to the preservation of the former Princess Elizabeth School are the original features of the west (front), north and south facades, and on the interior: the entrance hallway, two original stairways, corridors and auditorium. Included is the decorative stonework, the original steel-sash windows and wood doors (interior and exterior), the coved ceiling and skylight of the auditorium, the glazed wall tile and original woodwork. Excluded are the rear wall and the modern fire-rated partition walls enclosing the balcony and stairwells.

Bill No. C-13

The Corporation of the City of Hamilton

BY-LAW NO. 92- *032*

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 952 AND 954 CONCESSION STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the special condition relating to this rezoning, referred to in Section 33(b) of the 1st Report of the Planning and Development Committee adopted by City Council on the 29th day of January 1991, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"C"** (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

   (a) notwithstanding Section 9(1) of By-law No. 6593, the following Commercial Uses shall be permitted within the existing building only,

      1. Offices for medical or dental practitioners;
      2. Professional person's office;
      3. Photographer's studio;
      4. Barbershop or hairdressing establishment;
      5. A confectionary store;
      6. Retail drugstore;
      7. Video store;
      8. Retail delicatessen store;
      9. Florist;
      10. A collecting and distributing station for a laundry or a dry-cleaning establishment;
      11. Drapery and Blinds Store;
      12. Pet Store;
      13. Retail grocery store;
      14. Self-Service Laundry;
      15. Retail bakery;

   (b) Section 18A(27) of By-law No. 6593 shall not apply.

2. The **"G-3"** (Public Parking Lots) District provisions, as contained in Section 13C of Zoning By-law No. 6593, applicable to the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

(a) Section 13C(3)(i) of By-law No. 6593 shall not apply;

(b) notwithstanding Section 13C(3)(ii) of By-law No. 6593, a landscaped planting strip of not less than 1.5 m in width shall be provided and maintained along the westerly and southerly lot lines;

(c) notwithstanding Section 13C(3)(iii) of By-law No. 6593, a visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly and southerly lot lines.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "G-3" District provisions, subject to the special requirements referred to in sections 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1214.

5. Sheet No. E-35 of the District Maps is amended by marking the lands referred to in sections 1 and 2 of this by-law, S-1214.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

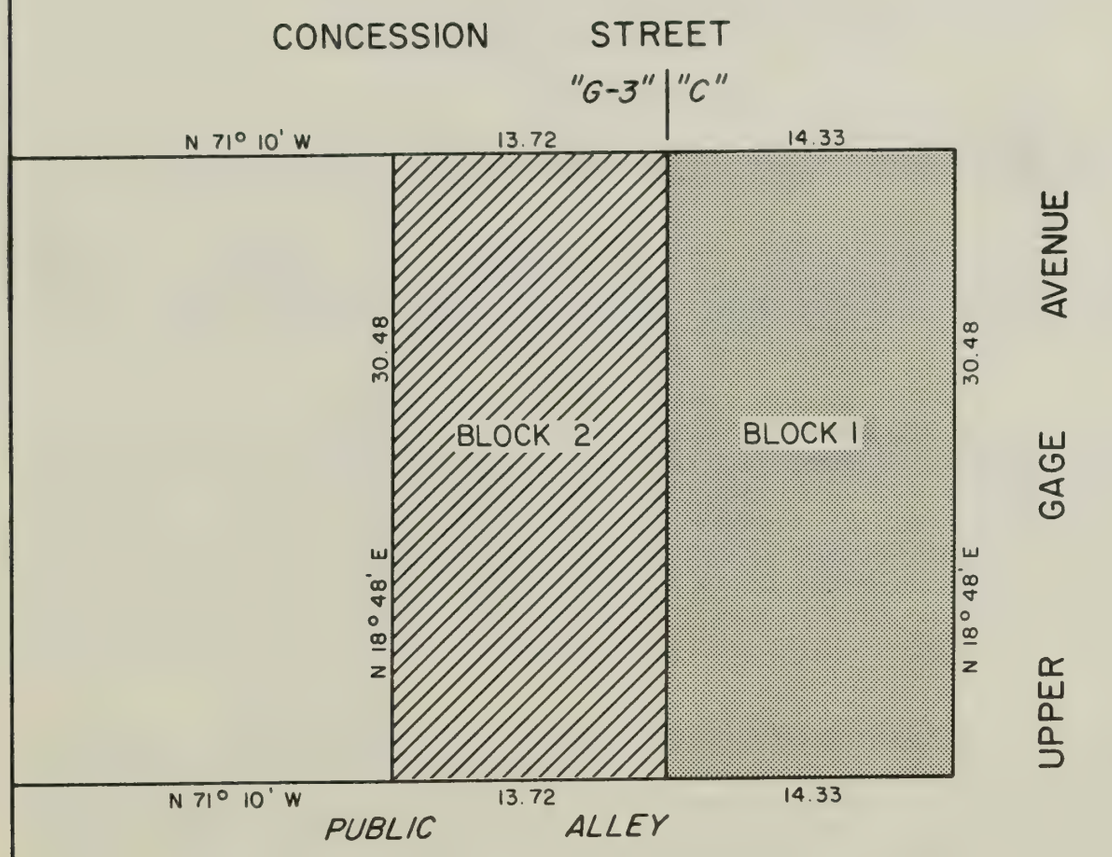
PASSED this *14th* day of *January* A.D. 1992.

City Clerk Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 1 R.P.D.C. 33(a), January 29
Mr. and Mrs. M. Trikas, Owners
Amended ZA-90-69



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-032
Passed the 14th day of January, 1992

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-032

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1

BLOCK 2

Lands to be regulated by
By-Law No. 92-032

North	Scale	Reference File No.
	NOT TO SCALE	ZA 90-69
	Date	Drawn By
	JANUARY, 1991	L.B.

Bill No. C-14

The Corporation of the City of Hamilton

BY-LAW NO. 92- *033*

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 84-103

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 41-45 CATHCART STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 84-103 on the 24th day of April 1984 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the lands located at Municipal Nos. 41 and 45 Cathcart Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 5th Report of the Planning and Development Committee at its meeting held on the 26th day of March 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 84-103, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

AND WHEREAS the special condition relating to this rezoning, referred to in Section 4(b) of the 5th Report of the Planning and Development Committee adopted by City Council on the 26th day of March 1991, has been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 84-103, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements that,

(a) Section 1.(a) of By-law No. 84-103 is amended by changing the number "16" in the fourth line to "22", so that the revised clause (a) reads as follows:

"(a) notwithstanding subsection 10(1) of By-law No. 6593, a residential care facility for the accommodation of not more than 22 residents shall be permitted in the existing building;";

(b) Section 1.(b) of By-law No. 84-103 is amended by changing the number "205 m^2" to "148 m^2" so that the revised clause (b) reads as follows:

"(b) an outdoor amenity area not less than 148 m^2 shall be provided and maintained on the lot;".

2. Section 1.(d) of By-law No. 84-103 is deleted.

3. The following new clauses are hereby added to Section 1 of By-law No. 84-103:

(d) notwithstanding subsection 18A.(7) of By-law No. 6593, the 4 parking spaces situated in the required front yard shall have a width of not less than 2.6 m;

(e) notwithstanding subsection 18A.(9) of By-law No. 6593, the required manoeuvring space for the 8 required parking spaces may be located off-site;

(f) subsections 18A.(11) and (12) of By-law No. 6593 shall not apply;

(g) notwithstanding subsection 18A.(14) of By-law No. 6593, 4 of the required 8 parking spaces may be located within the required front yard.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in sections 1 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-861a.

6. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-861a.

7. In all other respects, By-law No. 84-103 is hereby confirmed, unchanged.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

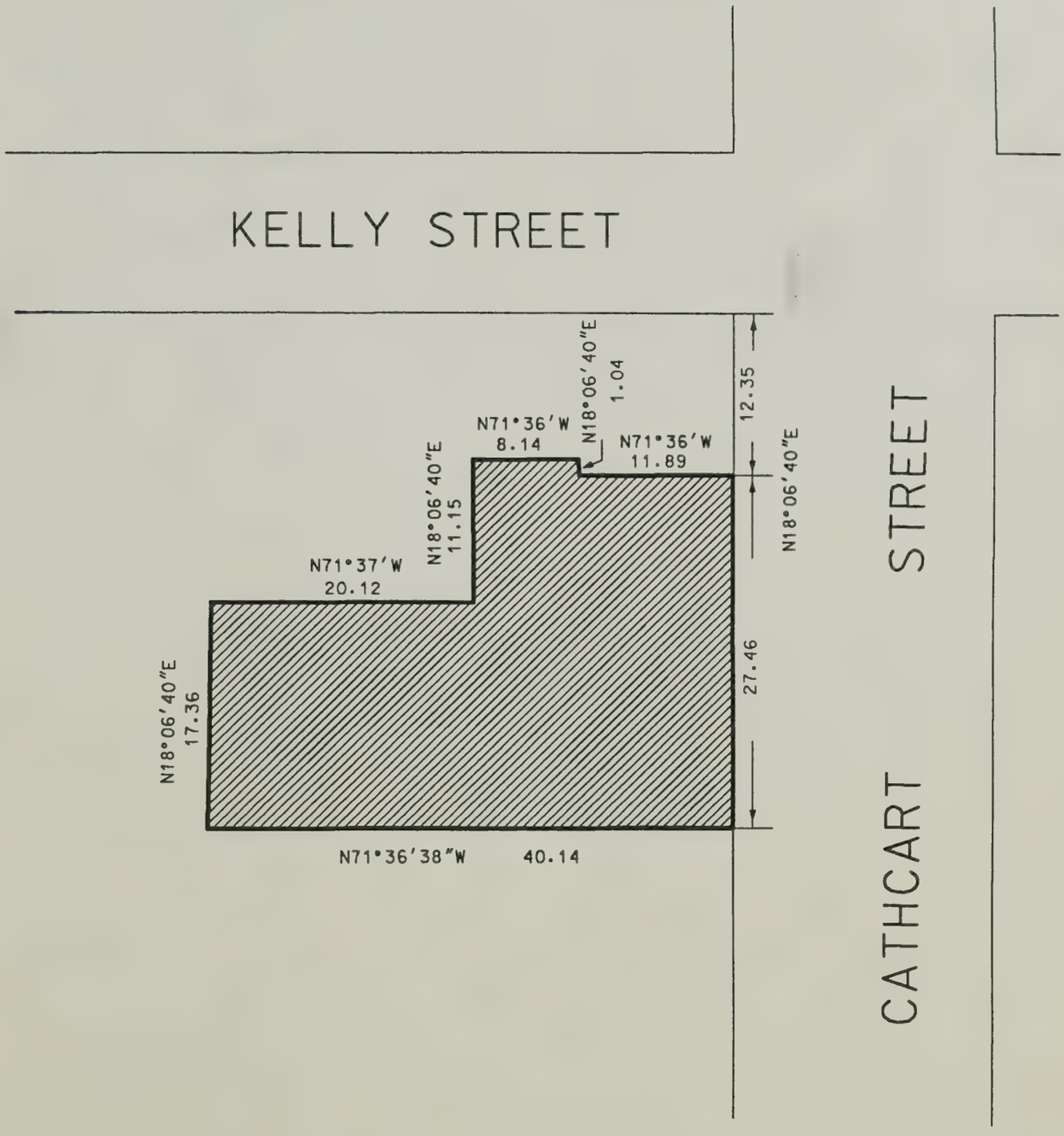
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1991) 5 R.P.D.C. 4, March 26
740898 Ontario Inc. (Leroy McCarthy and Elaine McCarthy), Owners
ZA-90-70



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-033
Passed the 14th day of January, 1992

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-033
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by By-Law No. 92-033

North	Scale	Reference File No.
	NOT TO SCALE	ZA90-70
	Date	Drawn By
	APRIL, 1991	T.A.

Bill No. C-15

The Corporation of the City of Hamilton

BY-LAW NO. 92- *034*

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 773 LAWRENCE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the special condition relating to this rezoning, referred to in Section 15(c) of the 6th Report of the Planning and Development Committee adopted by City Council on the 13th day of March 1990, has been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"C"** (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

   (a) notwithstanding Sections 19(iii) and (vi) of By-law No. 6593, not more than three dwelling units shall be permitted within the building existing on the date of the passing of this by-law, of which one dwelling unit shall have a floor area of not less than 49.0 m^2;

   (b) notwithstanding the requirements of Section 18A of By-law No. 6593, not less than three parking spaces having dimensions of not less than 2.7 m in width and 6.0 m in length, shall be provided and maintained on the lot.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1164.

4. Sheet No. E-66 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1164.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this *14th* day of *January* A.D. 1992.

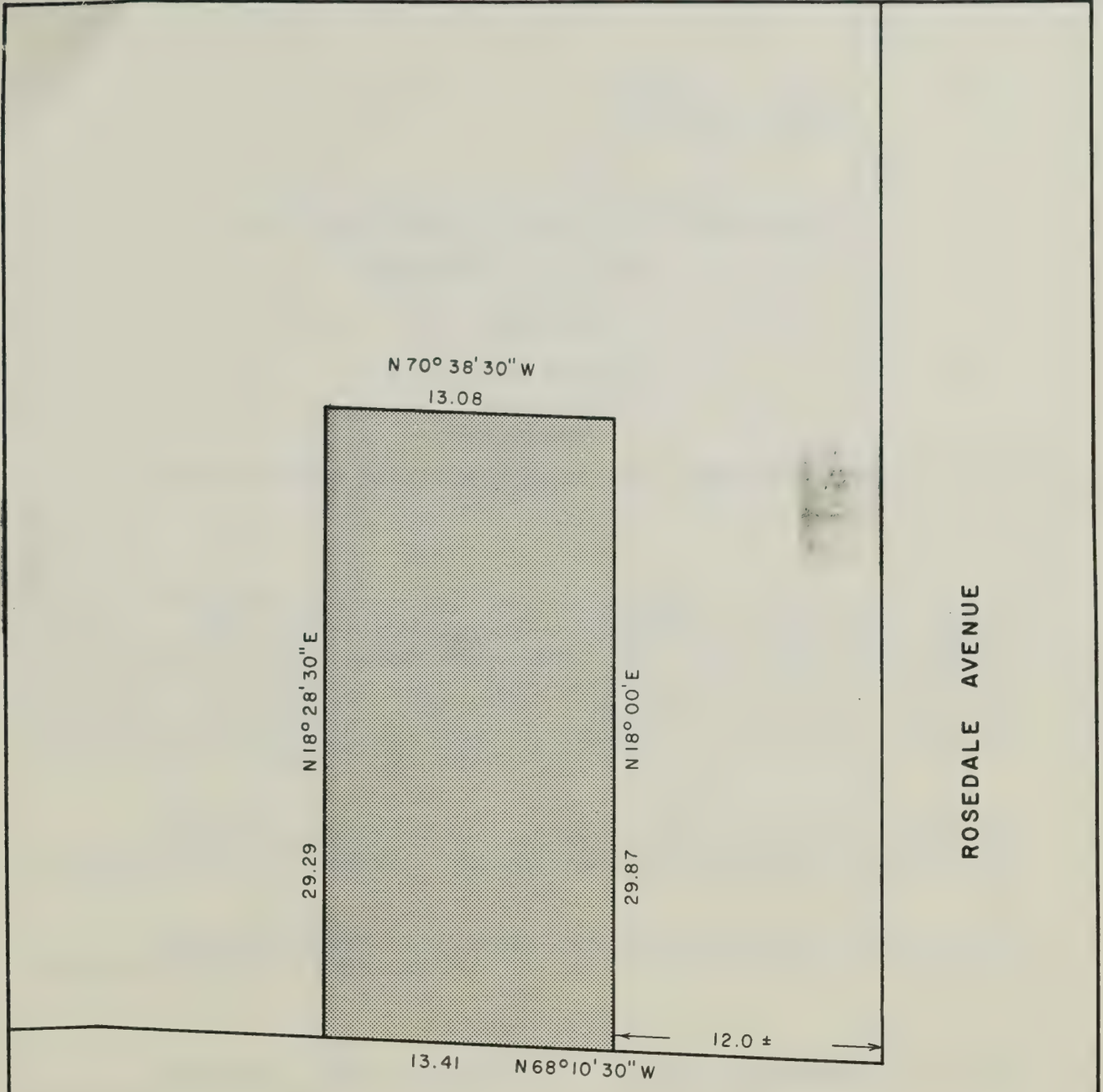
CERTIFIED A TRUE COPY

CITY CLERK

City Clerk

Mayor

(1990) 6 R.P.D.C. 15(a), March 13
Ahmad Jan Karchi, Owner
ZA-89-122



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 92-034
PASSED THE 14th DAY OF January 1992

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 92-034

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND

LANDS TO BE REGULATED BY BY-LAW NO. 92-034

North	Scale	Reference File No.
	NOT TO SCALE	ZA 89-122
	Date	Drawn By
	MARCH 16, 1990	Z. K.

Bill No. C-16

The Corporation of the City of Hamilton

BY-LAW NO. 92- 035

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 773 LAWRENCE ROAD

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

123. Land located at Municipal No. 773 Lawrence Road, shown on Appendix 123 hereto annexed and forming part of this by-law.

2. Appendix 123 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this *14th* day of *January* A.D. 1992.

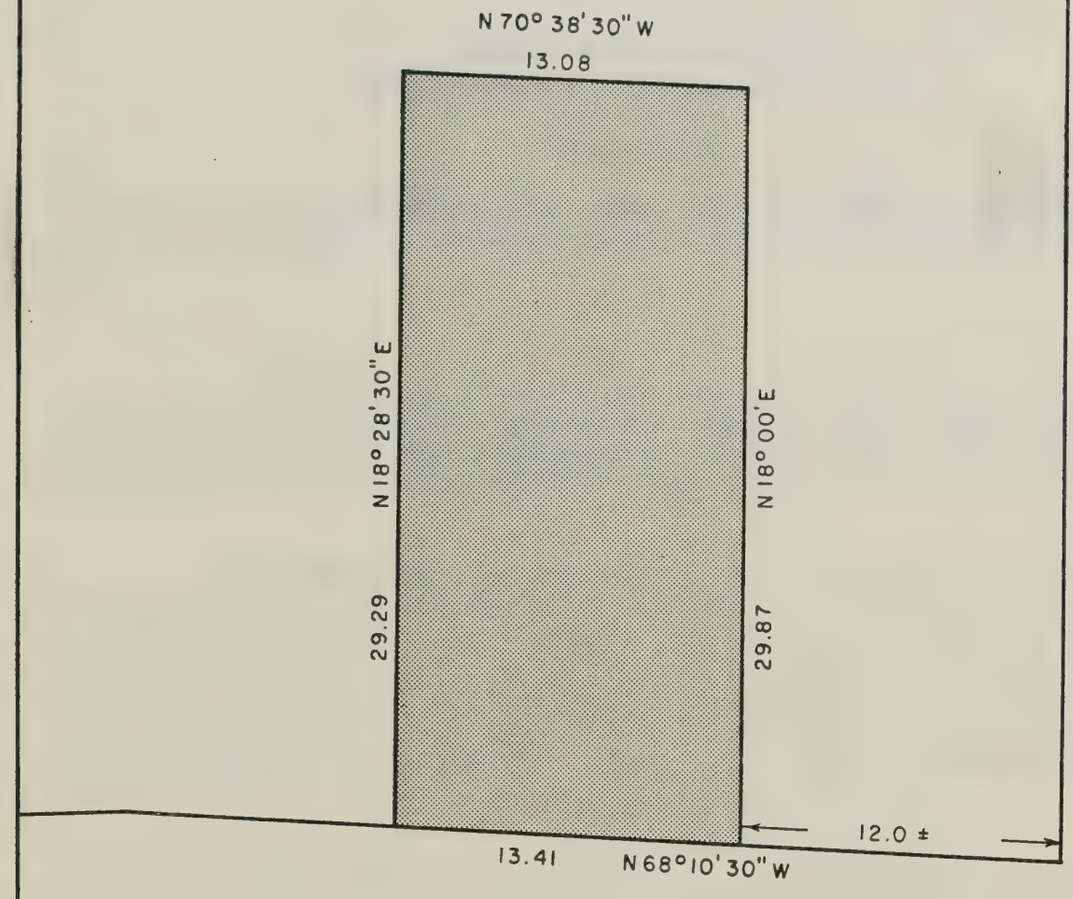
City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1990) 6 R.P.D.C. 15(b), March 13
Ahmad Jan Karchi, Owner
ZA-89-122



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 92-035
PASSED THE 14th DAY OF January 1992

Clerk

Mayor

CITY OF HAMILTON

APPENDIX 123
TO BY-LAW NO. 79-275

AS AMENDED BY
BY-LAW NO. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND

LANDS DESIGNATED UNDER THIS BY-LAW AS AN AREA OF SITE PLAN CONTROL PURSUANT TO SECTION 40 OF THE PLANNING ACT.

North	Scale	Reference File No.
	NOT TO SCALE	ZA 89-122
	Date	Drawn By
	MARCH 16, 1990	Z. K.

Bill No. C-17

The Corporation of the City of Hamilton

BY-LAW NO. 92-*036*

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 91-176

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 122-126 MACNAB STREET SOUTH, 109, 111 AND 123 CHARLES STREET and 40 and 42 BOLD STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-176 on the 24th day of September 1991 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E-3" (High Density Multiple Dwellings) District, in respect of the land located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 14 of the 1st Report of the Planning and Development Committee at its meeting held on the 14th day of January 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 91-176, be further amended to delete Schedule "A" to By-law No. 91-176 and replace it with a revised Schedule "A" to correct a technical error in the Schedule wherein the dimensions of the above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, were shown in feet and the legend of the by-law stated that the dimensions were in metres; and to correct a typographical error in Section 5 of By-law No. 91-176;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 91-176 is hereby revoked and Revised Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.

2. Section 5 of the said by-law is amended by deleting "section 1" in the second line and substituting in lieu thereof, "section 2".

3. In all other respects, By-law No. 91-176 is hereby confirmed, unchanged.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1239a.

5. Sheet No. W-5 of the District Maps is amended by marking the land referred to in Section 2 of By-law No. 91-176, S-1239a.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

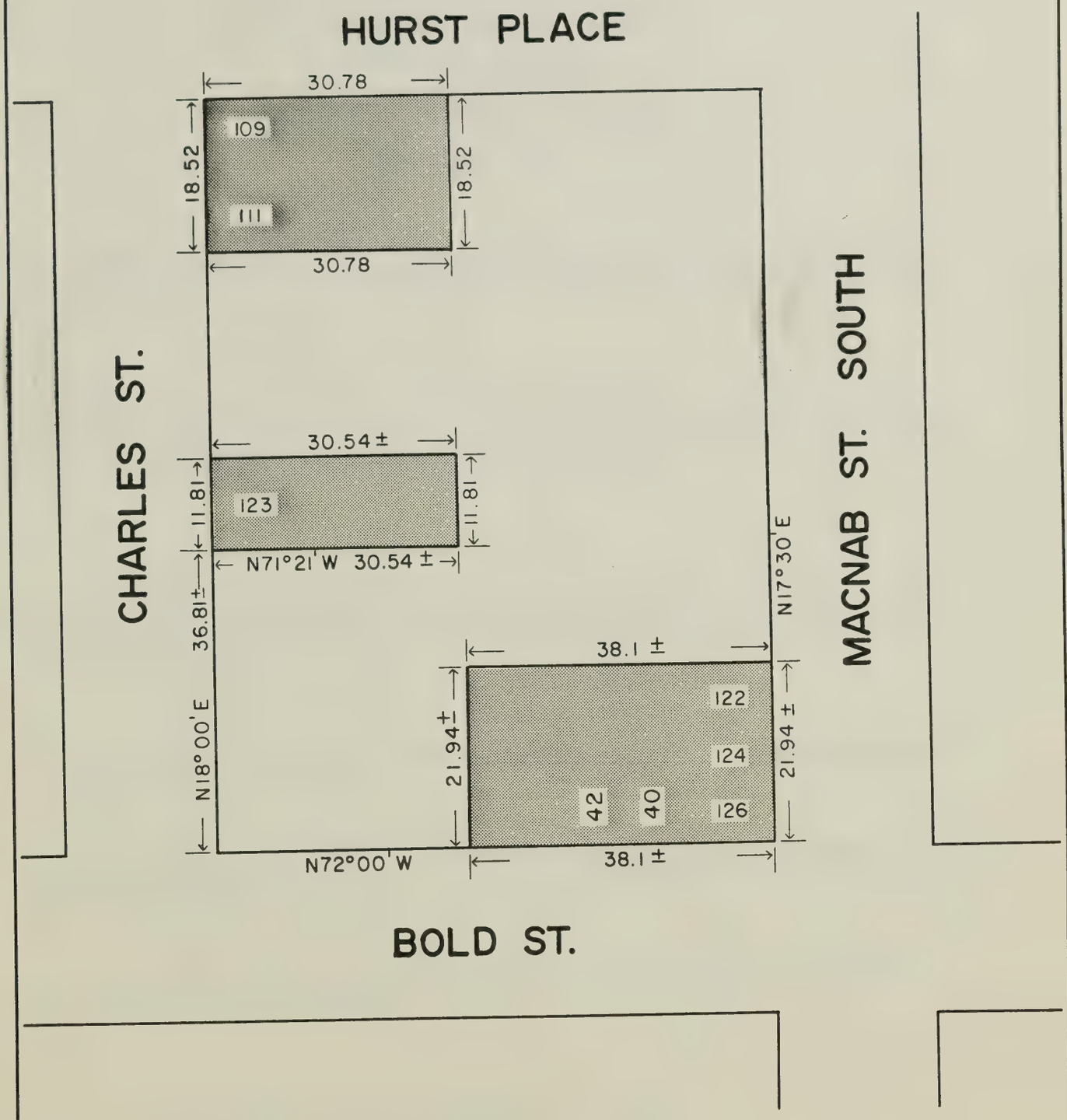
PASSED this *14th* day of *January* A.D. 1992.

City Clerk Mayor

CERTIFIED A TRUE COPY
CITY CLERK

(1992) 1 R.P.D.C. 14, January 14
City Initiative 91-B

REVISED SCHEDULE "A"
TO BY-LAW No. 91-176



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-036
Passed the 14th day of January, 1992.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 92-036

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Lands to be regulated by
By-Law No. 92-036

North	Scale	Reference File No.
	NOT TO SCALE	C.I. 91-B
	Date	Drawn By
	NOVEMBER, 1991	P.B..

Bill No. H-8

The Corporation of the City of Hamilton

BY-LAW NO. 92- 037

To Amend Market By-law No. 81-180

Respecting FEES

WHEREAS By-law No. 81-180, passed on the 23rd day of June 1981, provides in Schedule "B" thereof for the establishment of fees for the use of the Hamilton Farmers' Market;

AND WHEREAS Schedule "B" to By-law No. 81-180 was re-enacted and amended by By-law No. 81-267, By-law No. 82-34, By-law No. 83-024, By-law No. 84-278, By-law No. 86-60, By-law No. 86-340, By-law No. 87-324, By-law No. 87-352, By-law No. 88-269, and By-law No. 89-372, and By-law No. 90-356;

AND WHEREAS the Council of The Corporation of the City of Hamilton, has directed that Market By-law No. 81-180, as amended, be further amended to revise the fees in Schedules "B" and "1", effective the first day of January 1992, as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 81-180, as added to by Schedule "1", and as re-enacted and amended aforesaid, is repealed, and Schedule "B" to this By-law substituted therefor.

2. In all other respects, By-law No. 81-180, as re-enacted and amended, is hereby confirmed without change.

PASSED this *14th* day of *January*, A.D. 199*2*.

City Clerk

Mayor

(1992)

SCHEDULE "B"

To By-law No. 92-037

SCHEDULE "B"
(Section 7)

PART 1 : PRODUCERS AND DEALERS FEES

Stand Number	Location	Amount of Producers and Dealers Fees Per Month	Per Day	Yearly
1 to 8	(Refrigeration Units)	$270.00	N/A	$3,240.00
12 to 18	(Refrigeration Units)	$270.00	N/A	3,240.00
22	(Refrigeration Units)	$270.00	N/A	3,240.00
9,10,11	(Refrigeration Units)	$225.00	N/A	2,700.00
19,29,21	(Refrigeration Units)	$225.00	N/A	2,700.00
23 to 46	RAMP	$157.00	$25.00	1,884.00
47 TO 62a	North Wall - Main Floor	$157.00	$25.00	1,884.00
63 to 70	West Wall - Main Floor	$157.00	$25.00	1,884.00
71 to 95	South Wall - Main Floor and Under Ramp	$157.00	$25.00	1,884.00
96 to 100	Loading Docks (from 7:30 a.m. to 4:00 p.m.)	$157.00	$25.00	1,884.00
101 to 111	East Wall - Main Floor	$157.00	$25.00	1,884.00
112 to 143	Stands in Middle from East to West (North Side)	$157.00	$25.00	1,884.00
144 to 175	Stands in Middle from West to East (South Side)	$157.00	$25.00	1,884.00
30a, 35a, 37a, 46a		$ 87.00	$12.00	1,044.00
70a, 72a		$ 66.00	$12.00	792.00
92		$221.00	$25.00	2,652.00
176	Coffee Shop	$314.00	N/A	3,768.00

PART 2 : DEALERS FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

Stand No.'s	Dealers Fees per Annum
1 to 76	$91.00

PART 3 : PRODUCERS AND DEALERS FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance.....$7.00 per day.

PART 4 : FRIDAY MARKET FEES

8 FT. Refrigeration Unit .....$17.00 per day
12 FT. Refrigeration Unit .....$21.00 per day
Regular Stands .....$12.00 per day
Each Additional Stand .....$ 7.00 per day
Coffee Shop .....$23.00 per day
Daily Users Fees .....$25.00 per day

Bill No. **H-9**

BY-LAW NO. 92 - *038*

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF JANUARY A.D., 1992.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this *14th* day of *January* A.D. 1992

CITY CLERK **MAYOR**

CERTIFIED A TRUE COPY

CITY CLERK

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30072	[illegible]BLEU	BU3007
30074	[illegible]EY/GRIS	BD3007
30075	GREEN/VERT	BP3007
30078	RED/ROUGE	BF3007

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